

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

FRIDAY, 4 NOVEMBER 1887

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On the same day—

"Sergeant Ferguson Burketown wires no Chinese have come by Burketown from Port Darwin Has made constant inquiry during last six months Some crossed the border *en route* for Port Darwin in June last Three were arrested and convicted."

Then there was a telegram dated October 29—

"B. Wareham Aplin Brown and Co.'s manager Port Darwin informs me four Chinese with stolen horses passed Roper a fortnight ago for Croydon Police in pursuit Five hundred Chinese trying to get somebody to pilot them across border Only travel coast route no water My informant thoroughly reliable I have wired Lamond to be vigilant also Burketown police."

The telegram I received from the Premier of South Australia is dated yesterday, and is as follows :—

"In reply telegram 28th ultimo re emigration of Chinese from Northern Territory to Queensland Have obtained report upon subject from our Government Resident to following effect Station master at Catherine reports with the exception of four Chinese said to be going to the Macarthur none have passed here"—

I suppose those are the men with the stolen horses—

"Nor have I heard of any bound for Queensland All Chinese travelling to Queensland from Port Darwin must pass the Catherine and the statements made in Queensland of Chinese immigration from here are erroneous."

That is all the further information I have upon the subject, and I think it is very satisfactory.

LEGISLATIVE ASSEMBLY.

Friday, 4 November, 1887.

British New Guinea (Queensland) Bill.—Question without Notice.—Influx of Chinese into Queensland.—Timber in the Gympie and Maryborough Districts.—Claim of H. A. Brigg.—Motion for Adjournment.—The Closure.—Motion for Adjournment.—Charges against Ex-Ministers.

The SPEAKER took the chair at half-past 3 o'clock.

BRITISH NEW GUINEA (QUEENSLAND) BILL.

The SPEAKER: I have to inform the House that I presented the British New Guinea (Queensland) Bill to His Excellency the Governor this day, and that His Excellency was pleased, in my presence, to give his assent thereto, in the name and on behalf of Her Majesty.

QUESTION WITHOUT NOTICE.

INFLEX OF CHINESE INTO QUEENSLAND.

Mr. SMYTH said: Mr. Speaker,—I rise to ask the Premier, without notice, if he has any further information in regard to the influx of Chinese into Queensland from the Northern Territory of South Australia?

The PREMIER (Hon. Sir S. W. Griffith) said: Mr. Speaker,—In answer to the hon. member, I have here telegrams from the inspector of police at Georgetown, who is the inspector in charge of all the Carpentaria country, and also one from the Premier of South Australia, which I will read to the House. The first is dated October 28 :—

"Re your urgent Sub-inspector Brannelly reports not hearing of any Chinese from Port Darwin crossing border for some time."

On the same day—

"Sergeant Farquharson Croydon wires no Chinese arrived from Port Darwin Can get no information of any coming only a rumour got up at public meeting."

TIMBER IN THE GYMPIE AND MARYBOROUGH DISTRICTS.

Mr. MOREHEAD, in moving—

That the return to an order, laid upon the table of the House on the 3rd instant, relative to timber in the Gympie and Maryborough districts, be printed—

said: Mr. Speaker,—I bring this motion forward, not with the intention of passing it, but with the intention of calling the attention of the House to what hon. members can do if they so wish. Now, this is the return that was described by the Minister for Lands as covering, I think he said, 1,000 sheets of foolscap.

The MINISTER FOR LANDS (Hon. H. Jordan): It was so stated.

Mr. MOREHEAD: What earthly benefit can be derived from the production of this mass of material? Who is going to read it? If it is of any value let it be printed. But I suppose the hon. member who moved for the papers has no intention of moving that they be printed. The State has been put to considerable expense in putting together this mass of documentary matter, and after all, I suppose, it will be thrown into the waste-paper basket. I put this motion on the paper with the intention of calling attention not only to the way in which hon. members rashly move such motions as the one moved by the hon. member for Wide Bay, Mr. Bailey, but also to the readiness with which the Government accede to such propositions, only stopping short when the question of printing comes on. If there is anything really worth recording—I fancy there is very little—it is worth printing. If it is worth printing it is worth recording, but if it is not worth printing it is not worth recording; and I hope that the members of the House will express their opinions freely on the question I now give them the opportunity of ventilating. I also have in mind a resolution moved by the hon. member for Ipswich, Mr. Salkeld, a resolution which, if carried into effect, would put the colony to a very considerable expense—some hundreds of pounds—even if it were never printed. It is time, I think, that this House should lay down some law—I do not say it should be a fixed

one—some lines, at any rate—on which such proposals as that introduced by the hon. member for Wide Bay, Mr. Bailey, should be authorised. The return in its crude form is lying before us on the table, and I am told that the documents weigh twenty pounds. I am certain the House will oppose the resolution I have brought forward, and if it comes to the vote I shall vote against it, if I am in order in doing so. I have simply brought the motion forward to show the utter absurdity of hon. members bringing forward motions for returns, which can only be prepared at considerable expense to the State, especially when no earthly object is to be served. The hon. member never made out a case for producing the papers in the first instance, but the motion was allowed to go by default. I do not believe one member of this House will ever peruse any part of the huge mass of papers lying on the table, and I wish to direct the attention of every hon. member to what has been going on, not only this session, or in this Parliament, but Parliament after Parliament and session after session—that is, that hon. members, in order to air a fad or to please a constituent, or for some device or dodge known only to themselves, move for returns, and thus put the country to a great amount of unnecessary expenditure. I beg to move the resolution standing in my name.

The MINISTER FOR LANDS said: Mr. Speaker,—I am very glad the leader of the Opposition does not wish to see these papers printed. I do not think they ought to be; I do not think they ought to have been called for; I do not think that when they were called for, the motion should have been consented to, but my predecessor had no idea what the nature of the return would be; and I think that when it was ascertained what it would be the Minister should have been informed by the officers of the department that it would be so voluminous. I do not think he was informed, but I was informed some time ago, when this was in course of preparation, that the reason why it had not been supplied was that it would occupy a very long time, and would probably necessitate the use of something like 1,000 pages of foolscap. If I had known the character of the return before, I should probably have taken steps to stop its preparation—if I could have done so after the motion had been passed by the House. I agree with the leader of the Opposition, that hon. members are much too careless in calling for returns, and that we spend a great deal too much in compiling them. And as for printing such returns as this, that is preposterous. I can quite understand the hon. member calling attention to the fact that hon. members are calling for returns every year, which put the country to enormous expense and do very little good. Some good purpose is sometimes served; but in many instances I believe it is simply done for the gratification of their own curiosity, and the country is put to a great deal of unnecessary expense. I am under the impression that in compiling this return a clerk was employed at least two months, and I am not sure that two clerks were not employed in its preparation.

The MINISTER FOR WORKS (Hon. C. B. Dutton) said: Mr. Speaker,—The responsibility of assenting to the preparation of this return rests with me; but I must say that if I had any idea as to what it would have amounted to I should certainly have objected strenuously to the motion. It was not easy to ascertain what amount of correspondence had really taken place on matters of this kind, inasmuch as most of the papers came from Maryborough and Gympie; and, of course, a Minister feels some delicacy in objecting to returns being granted when a

member of this House calls for them, unless it is evident that they would involve too much labour. The return is a very bulky one, and I regret very much that I assented to it. It contains an immense mass of correspondence that can have no relevance to the matter in which the hon. member for Wide Bay is interested—the ordinary correspondence between commissioners, rangers, and timber-getters—and I can only say that I very much regret the return should have been granted.

Mr. BLACK said: Mr. Speaker,—I am very glad this matter has been brought under the attention of the House by the leader of the Opposition, and I am very glad that the members of the Government who have spoken endorse the opinions to which the leader of the Opposition has given expression. I think that a most wasteful piece of extravagance has been brought about by the hon. member for Wide Bay, Mr. Bailey, who, I regret, is not in his place to-day to justify the extraordinary action he has taken in this matter. I only regret that this unnecessary expense the country has been put to cannot be taken from the amount the hon. member receives under the Payment of Members Expenses Act. I think that would be a fitting punishment for the hon. member who—in order to curry favour, I take it, with some selectors in his district—has put the country to this unnecessary expense.

Mr. KATES: Make him read all the papers.

Mr. BLACK: I think that would be a fitting punishment. Judging from what I see in the index I certainly think that the expense of preparing these papers was quite unnecessary, and if the hon. member were compelled to read them and learn them by heart, that would be a very small punishment. The hon. member might as well call for a return of every transaction that takes place in a Government department. The Government would, I think, have been justified in the first instance in refusing to lay the papers on the table of the House unless it was shown that it would be of real public utility to do so. I hold the index of the papers in my hand, and what do I find? That it is a—

“Return to an order made by the honourable the Legislative Assembly of Queensland, dated the 27th July, 1887, That there be laid on the table of the House—
1. Copy of all reports of Crown lands rangers on the cutting and removal of timber from Crown and selected lands in the Gympie and Maryborough districts and in the Isis and Gregory portion of the Bundaberg district, from May, 1886, to May, 1887.”

What interest is it to the House or to the country generally to know how much timber has been removed from those particular districts? Is it intended to glorify the Gympie and Maryborough districts, to show that they have some timber left? The return also contains—

“2. Copy of all correspondence between the parties concerned and the respective commissioners.”

Any timber-getter who considers he has a grievance writes to the department and gets an answer back, and that correspondence is included in this return. I think that is paltry. Further there is—

“3. Copy of instructions given by the said commissioners to the Crown lands rangers in reference to dealing with timber-getters or selectors having timber on their selections.”

It is not suggested that there is any grievance, it is not suggested that the Government have acted in any improper manner towards the timber-getters in that electorate; yet a mass of information has been asked for which, as far as this House can judge, is of no value whatever. What do we find on referring to the index? We find that in the correspondence in the Maryborough land agent's district with timber-getters

during the period from 1st May, 1886, to 31st May, 1887, there are no less than seventy-five papers. And what have they reference to? No. 1 refers to—

“Special permit to cut on timber reserve, and violation of timber regulations.—T. A. Ridgway.”

No. 7 to—

“Special timber licenses No. 54 and 56.—P. Ramsay.”

No. 12 to a—

“Raft of pine at Dundathu.”

In all there are, as I have said, seventy-five papers relating to such paltry subjects as these. No. 15 refers to—

“Application for renewal special timber license No. 34.—Wilson, Hart, and Co.”

No. 34 is a paper concerning—

“Firewood seized on reserve in Tinana Divisional Board.”

The index alone extends over a dozen pages of foolscap. I go on now to the Gympie land agent's district, and there we have seventy-nine papers or “copies of reports in connection with the timber industry” for the same period, and these are very much to the same effect as those I have already quoted. No. 32 refers to the—

“Seizure and release of hardwood to Thomas Steele.”

No. 40 to—

“T. A. Ridgway wanting leave to remove his timber at Gap Creek.”

No. 31—

“T. A. Ridgway wants timber off reserve at Gap Creek.”

On looking into the papers I find that “T. A. Ridgway” appears very prominently in them. I regret that the hon. member for Wide Bay is not here to explain who T. A. Ridgway is, but as this gentleman appears to be in the Gympie land agent's district, perhaps the hon. member for Gympie can give us some information about him. No. 75 is a paper respecting the—

“Seizure of Holbeck's and Ridgway's pine, Gap Creek.”

And No. 79 is a—

“Report on instructions issued to rangers re manner of dealing with timber-getters or selectors removing timber from their selections.”

There are also six papers with reference to the Bundaberg land agent's district. I find that T. A. Ridgway does not appear in that district. I think myself that the papers should be conclusive evidence to this House that in future no returns moved for should be ordered unless the member moving for them can show that it is to the interest of the country and for the benefit of the House that they should be printed. I am not aware what is the real cost of preparing the papers, but looking at the extent and number of the documents, and at the fact that they had to be obtained from different districts, I think the expense of copying them—for we have not the originals here—must be very considerable. I would like the Minister for Lands to give the House, if he can, an approximate estimate as to the probable expense incurred by this transaction from the beginning to the end.

Mr. MELLOR said: Mr. Speaker,—I am sorry my hon. colleague is not here to defend himself, and I think it is a little unfair that hon. members should attack him in his absence. He is absent through illness.

Mr. MOREHEAD: Are we to wait till he comes back before we comment upon a matter before the House?

Mr. MELLOR: I think he should have an opportunity to defend himself. I do not believe for one moment that he had the slightest idea, when he called for the papers, that the return would be so large

Mr. MOREHEAD: Then he should not have asked for the papers.

Mr. MELLOR: I remember being in the Isis Scrub last June, and that there were some serious complaints made with reference to the selectors being interfered with by Crown lands rangers. I think that was the principal inducement that caused my colleague to call for this return. I am sure that his intention was to be able to get some information with reference to the matters complained of in that district. I am perfectly certain that he never expected to see half the number of papers that have been laid on the table of the House. We may infer from what he said on a previous occasion, when he was asking for information as to what was the cause of the delay in getting the return, which was asked for in July last, that he had no expectation that it would be so voluminous. I am sure when he takes his place in the House he will be able to explain that he had no intention of putting the country to such an expenditure.

Mr. CHUBB said: Mr. Speaker,—This discussion will be fruitless unless it teaches a lesson, and that lesson ought to be this: that when a member gives notice of a motion for a return to be laid on the table of the House, it ought to be an instruction to the under secretary of the department to examine the papers, and if he is of opinion that it would be very expensive, to communicate the fact to the head of the department, and give him an opportunity of resisting the motion when it comes before the House. I am quite sure that if an officer had looked into the matter in this instance the Minister for Lands at that time would never have consented to the motion being carried. Every hon. member knows that if he wants any information on a particular subject he has only to go to the department and the papers are laid before him. If he wishes to move for certain papers, after having ascertained in that way what they are, he can move for them specifically. If that were done the papers could be put in a small compass, and the great expense, which would be otherwise incurred, avoided. I am quite sure, judging from what the hon. gentleman in charge of the Lands Office says—that it took two clerks six weeks to prepare the return—that it could not have cost less than £50, and probably cost more, to collate and copy the documents; and I think that is too much money to spend upon anything of the kind. I hope that this discussion will be an intimation to the officers of the department to keep their eyes open when returns are called for, and give information to the Minister which will enable him to oppose the production of such returns.

Mr. W. BROOKES said: Mr. Speaker,—There is another matter I may occupy a little attention over, and that is the derangement of the ordinary work of the office. I am sure those returns have cost more than £50, and they are made up by clerks who could otherwise have been fairly earning their salaries at good and profitable work. That is a very important item for consideration.

Mr. MOREHEAD said: Mr. Speaker,—From what fell from me it must have been evident to hon. members that I have no desire to press the question to a division. I raised it for a definite purpose, which to a certain extent has been satisfied, and with the consent of the House I will withdraw the motion.

Motion, by leave, withdrawn.

CLAIM OF H. A. BRIGG.

Mr. KELLETT, in moving—

1. That a select committee be appointed to inquire into and report upon the claim made by Mr. H. A. Brigg, the contractor for the second section of the Brisbane Valley railway, against the Government.

2. That such committee have power to send for persons and papers, and leave to sit during any adjournment of the House; and that it consist of the following members:—Mr. Murphy, Mr. Morgan, Mr. Allan, Mr. Foxton, and the mover.

—said: Mr. Speaker,—I have two reasons for bringing forward this motion for a select committee, and the first one is in the interests of the contractor. This contractor, Mr. Brigg, tendered for the second section of the Brisbane Valley railway. He is a gentleman who left New South Wales, where he had been contracting for some years, and came here with a very good certificate of character. He was the successful tenderer to carry out this work, and I understand from the department that he performed it satisfactorily; that when the railway was taken over from him it was a very long time before the accounts were made up by the Railway Department; in fact, the delay was so great that after waiting here at considerable expense he had to go back to New South Wales. After he received the measurements and accounts he found a good many items in it that he entirely disagreed with. He pointed out that there were measurements he had got no credit for, and that the engineer who was first in charge of the line approved of certain things which the second engineer disapproved of. In my opinion, he made out a good case, and he put it into writing. Of course, I do not pretend now to say whether these claims are right or not, or, in fact, whether any of them are right, but Mr. Brigg makes certain statements which I think, on the face of them, show that a very unusual course had been adopted by the Government engineers. This gentleman had to go away after great delay. He could not stop any longer, in consequence of the delays which, it seems, all contractors have to experience here in Queensland. When a contractor has finished a railway job in Queensland, the whole aim and object of the department seems to be to annoy him and keep him out of the payments which are due, as long as possible. I do not know why it should be so, but this is not the only case of the kind by any means that has occurred in Queensland. Well, when the work was finished, £10,500 was due to the contractor, and he was kept six months waiting before he could get a single shilling. It was something like four months before the Railway Department had the final statement of measurements ready, and then the contractor was refused a single shilling until he signed the final certificate. They refused to recognise his claims, and declined to go into them. Well, he objected to signing the final certificate, and consequently had to wait for months longer for his money. I don't know whether the Government were so short of money at the time that they thought they did a stroke by keeping Mr. Brigg out of his money for six months, but at the end of that time after a great deal of trouble £5,000 was paid to him, and they refused any more until the final certificate was signed. Mr. Brigg still asked that his claims might be gone into, and asked that someone should be sent with him to see whether his claims for measurements were correct or not. He distinctly states that when the measurements were made he asked Mr. Raff, the engineer, to allow him to accompany him, and he refused to do so. I always understood that in measuring up work the contractor invariably accompanied the engineer, and I do not know whether it was that the engineer could not make the measurements, and did not wish to show that he was unable to do so, that he should have departed from the rule. That refusal had struck him (Mr. Kellett) as being unfair on the face of it. The contractor should have been allowed to be there to prove that his work had been done faithfully. Some time ago I handed this statement that I have in my hand

to the present Minister for Works and said what I say now, that I did not know the correctness of any of the claims, but that this man wanted fair play, and that in the interests of railway-making generally, and the interests of the public, as he had come here from New South Wales with an excellent reputation, his claim should be fairly considered. It seems to me that we are sending one contractor after another out of the colony, that we shall have very few men left soon to do our work, and the consequence will be that we will spend all the more money. I took this paper to the Minister for Works, and as the first item was an amount that had been deducted for fencing, I said to him, "I take it that if you know nothing else, you know something about how a contractor should be paid for fencing, and how measurements for fencing are made up." The hon. gentleman read over the statement here and said, "It is the most monstrous thing I ever heard of, and I never heard of anything more absurd," or words to that effect. He promised that he would have an inquiry and fairly go into all the matters complained of, and see what should be done. After leaving the matter in his hands for a considerable time I got word that he had made some inquiry in the matter, and would not go any further. I then asked several questions of the Minister for Works on this matter, and mentioned the fencing claim especially. His answer in this matter was that he had made an inquiry and found that the facts were totally at variance with the statement made in this paper. I do not know what the hon. gentleman calls an inquiry into a matter; but if all the statements on one side are taken, without the person complaining being asked to give any evidence or information, and that is to be called an inquiry, I do not agree with it. It is anything but a fair inquiry, and in my opinion is not an inquiry at all. When, therefore, the Minister makes a statement that an inquiry is held, which shows that the facts are totally at variance with the statement of claim in this case, I say that is not a fact, because no inquiry can be said to have been held where only one side was present. The claim is stated in this way, and I will leave hon. gentlemen who know something about this kind of business to say what they think of it. The first item has reference to fencing:—

"You have deducted £19 19s. 6d. for bad material in fence No. 2. This is clearly an afterthought, considering the fence has been erected a long time—some of it for nearly two years—and has all been passed by your engineers at different times. I understand that since the completion of the contract one of the inspectors was sent along the line of fence to measure the posts and rails. This is not the usual custom on railway construction, more especially after so long a time from the erection of the fence, as the material is expected to shrink a little. The mere fact of your inspector only finding £19 19s. 6d. worth of inferior stuff (presuming he did find it) out of forty-four miles of fencing shows that I performed that part of my contract satisfactorily."

Fencing, as hon. members know, is one of the first works gone on with when a line goes through private land. I may say that I have had some thousands of miles of fencing to look after, and I know probably as much about this work as most people. Did anyone ever hear anything so absurd as that a man should go with a gauge and examine a fence two years after it was put up, and when there was half-an-inch out in the size of a post or rail, reject it? Hon. members know that fencing will shrink for a long time after it has been put up, and even after this fence had been up for two years all that this man could throw out in forty-four miles of fencing only amounted to £19 19s. 6d. When I read that I thought it was not worth while going any further. According to the engineer, he can measure up

fencing or any other work at any time until the final certificate has been signed. The department say that 25 per cent. is kept back for the purpose of allowing a chance for making these reductions. I always understood that it was kept back as a guarantee to the department that the work would be completed. I certainly never before heard that in any railway or private contract for fencing, a man could come along with a gauge, two years after the fence was erected, to see if there were any defects in the work. The Minister for Works evidently thought much as I did of the matter, for on reading this statement he said that nothing more absurd ever came before him. I received no further information from him, however, on this subject, until he informed me that an inquiry had shown the facts to be thoroughly opposed to that statement. I say that inquiry was a one-sided business, and neither the contractor nor anyone belonging to him was asked to make a statement. That is one of the reasons for asking for a select committee to inquire into this matter. There are a great many other claims besides that for fencing. There is a claim for excavations and foundations. The statement says:—

"I claim, over and above what you allow me, 12½ yards of rock at 5s., and 652 yards, soft, at 2s. 6d.; total, £84 12s. 6d. Mr. Raff says there is not 690 yards difference between his and my measurement, after deducting 201 yards for trenching. But I have already deducted that, and am confident my measurement is correct."

There is a statement made by one man that he is short-paid to the extent of £84 12s. 6d. on one measurement, and I take it a measurement is not a very difficult thing to make. I may tell the Minister for Works what I think would be a fair way to deal with this matter. Take one or two of the claims with respect to measurement—actual facts—and let an independent man be sent to measure one or two portions which the contractor says have been incorrectly measured by Mr. Raff. And if the contractor's statement is found to be incorrect let him be told, "We have tried a couple of your claims, and there is no truth in them. They are absurd, and we will go no further in the matter." But the department will do nothing of the kind; they have got the final certificate, and the man can whistle for his money. I say this is a monstrous business. It is well known that absurd restrictions and blocks are placed in the way of every contractor in Queensland such as find no place in any of the other colonies. I have often seen instances of this myself, and I brought many cases of the kind before the late Minister for Works; and when I did he fairly inquired into them, and I never brought a case of the kind before him in which it was not shown that the statements I made were correct. I know for a fact that many of these Government engineers are incompetent, and I can give the names of many of them. I do not say that Mr. Raff is incompetent, but I have no hesitation in saying that many of them are. There are others who possibly may be competent, but they think it their duty to obstruct the contractor in every way they can. I am told that it has been the habit at times to give a "tip" to those engineers. You know what a "tip" is, Mr. Speaker; and though you cannot hand some of them a cheque, it may be done in a nicer way—there are direct and indirect ways of doing it; and where contractors do something of that kind it is found that they get on satisfactorily with their contracts. I do not say that it was so in this case, but I will say of Mr. Raff that from what I have heard of him he has not a most amiable temperament, and I am informed he did anything but assist the contractor in carrying out his work in this case. I hold that Government engineers on these lines should assist contractors in every way instead of

obstructing them, and in the matter of fencing, if they find on riding over the line that there are any posts and rails that are not of the proper size, they should inform the contractor at the time that such stuff should not be used. It seems a most monstrous thing that the Government should refuse to allow anyone to ascertain whether the measurement of the contractor or the measurement of the engineer was right. Most hon. members, I think, will see that that was very unfair. He goes on next to table drains:—

"*Table drains.*—I claim 336 cubic yards and you allow 99 cubic yards, leaving 236 cubic yards still to be paid me at 2s. 6d. per yard—total, £29 10s. This amount I am clearly entitled to. Mr. Annett told me I would be paid for these drains at full size, according to clause 27 of specifications. They were made according to specifications, except where Mr. Raff ordered them to be made V shape, which was no saving to me. As to the depth, Mr. Raff only allows 2 inches; this is absurd. I am entitled to the full size. Now, Mr. Raff from the first appears to have made up his mind to deprive me of just payment for these drains, as he told my bookkeeper on one occasion that he would allow me nothing, as I ought to do the drains for nothing. He measured one or two long after they were made, and did not evidently allow for any silting up."

It should be a very simple thing to find out where that difference of measurement had taken place. I am not an engineer, but I think I should very soon find out which is correct. The next item is:—

"*Pitching.*—At Redbank Creek bridge, 60 yards at 5s., total £15. You have not allowed me this, and why not, seeing that you allow for Lockyer bridge? You told me your decision was that I should be paid for pitching applied to both Redbank and Lockyer bridges. Mr. Raff was present."

Then we come to—

"*Excavation for timber gantry at Esk.*—This is not in final certificate, as far as I can find out, and Mr. Annett could not find it in detailed statement. My claim is for 57 yards at 2s. 6d.; total, £7 2s. 6d. Of course, if you can show me this is in final statement my claim will go."

This had not been put in the final certificate at all, as far as I can make out, and Mr. Annett the assistant engineer, would not find it in the detached statement. Whether it got mixed up with some other item he did not know, but Mr. Annett could be sent for, and he could find out the whole thing in half-an-hour. Mr. Brigg adds:—

"Of course, if you can show me this in the final statement my claim will go."

But they did not try to do anything of the kind. They said, "You have got your certificate; you can go back to New South Wales and stop there; we do not want you here; you are not the sort of man we want." I believe a lot of that sort of thing is going on. Then we come to "flood openings," and the contractor says:—

"*Flood opening.*—I must persist in this claim. I am entitled to 4s. 6d. per foot for all piles over 30 feet, and 5s. for all over 40 feet, according to schedule price. Mr. Raff cannot plead ignorance as to the item, because he got full particulars of it from Mr. Gibbons, and I also called his attention to the extra size of the piles. They were ordered specially large by Mr. Gibbons, who said he would try to get me more than schedule prices for them, as I was put to a great deal of expense getting them. Surely I am not expected to take less than schedule prices. Mr. Raff says I ought to have brought this matter up sooner. I did so by calling his attention to the piles long ago. I would refer you to Mr. Gibbons about this item."

That is another item that could be very easily got at. Certain prices are named in the schedule, and Mr. Gibbons could easily find out whether the claim is correct. Several other matters are mentioned in this document, which I need not mention in detail. The next claim is one which I am not prepared to say much about; but I will read what the contractor says:—

"*Waiting for permanent-way material* from 30th January to 7th February, 1886—eight days. You must know the loss to a contractor a delay of this sort

entails, by men being kept idle and put to other jobs of a less profitable nature; in fact, the machinery is thrown out of gear. I claim £200, and would be satisfied with a less amount, if at all reasonable; but to accept the sum of £17, which is your offer, is out of the question. You must know that would not compensate me."

That is a matter which might fairly come before the Minister, as to whether it is a regular and justifiable claim or not. The next claim is—

"*Waiting for points and crossings* from 10th April to 26th May, 1886—forty-six days at £10; total, £460. I cannot understand how you arrive at the conclusion that £36, which you allow, is fair compensation to me for this long delay. If you calculate the various losses which such a delay entails, you must see that £36 is an absurd offer, and that £460 is not out of the way."

I cannot say whether this claim is correct, or should be granted or not; but it can easily be ascertained and settled. The contractor tells me it is a claim that is always made, and if so he is certainly entitled to payment. Whether there is anything in the rules and regulations of the Railway Department I cannot say, but my common sense tells me that if the claim is substantiated it ought to be paid. At all events, the contractor should have a chance of an inquiry into it. The next item is one for cement:—

"*Cement*.—I used 200 casks of cement more than you then specified for, and I claim £300 for same. This cement was of first-class quality and was tested by your officers before being sent up the line, and duly passed. You told me you would allow me something for it if I proved it was used as stated. The easiest way to test my statement as to quantity of cement is to ascertain from the Traffic Department the quantity carried for me to Lowood. All that was carried there was used on the works, and I received instructions from the inspectors to put in the extra quantity. Why, then, should I not be paid for all I used? Mr. Gibbons was aware of that, and told you that the inspectors had ordered me to use more cement than was specified, and I was compelled to carry out their orders."

He says the inspectors instructed him to put in this extra work.

The Hon. J. M. MACROSSAN: What was it for?

Mr. KELLETT: He does not say; he only says he was specially authorised to do it. He says, "Mr. Gibbons was aware you told me that the inspectors had ordered me to use more cement than was specified, and I was compelled to carry out their orders." I think that is a very easy matter to get at. Gibbons is still in the Government service. He is more likely to lean towards them than towards anybody else. At any rate he can tell us whether this is a fact or not. It could easily be ascertained what quantity of cement came up the line for Mr. Briggs, and whether there was any other work it was used in, or whether it was put in as extra work ordered by the engineer. If it was I cannot see why he should not be paid for it—if any part of the statement is correct. Then there is an item of £36 19s. for trucks. That is a sort of departmental business that I do not understand much about, and shall leave it alone. He makes a very long statement about it. I think, Mr. Speaker, as I said before, that when a contractor comes here from New South Wales, after his tender is accepted, and he does his work faithfully and honestly, which I believe the department must acknowledge, he is entitled to fair treatment. He got into trouble and had to stand a lawsuit in the Supreme Court over a matter that was certainly not his fault, but the fault of the Lands Department. That department issued a license to him to take ballast out of the bed of the Brisbane River; he made a railway for the purpose of taking out the ballast, and after taking out a certain quantity the owners of the property got an injunction from the Supreme Court to stop him from going any further. He was delayed a long time over his work, had to get ballast from Bundamba and other places to

make up the deficiency, and he was promised by the then Minister for Lands that in the event of the case being tried in court he should be at no loss. What they call being at no loss is giving him just the costs of court and £20 license fees he had paid. All his other expenses and delays, amounting as a fair claim to about £1,000, were refused; so that this man has a big grievance against Queensland, and as he travels through New South Wales no doubt he will ventilate that grievance, which will probably have the effect of stopping many contractors from coming to this colony. That is my chief reason, more than in the interests of this man, in desiring that the matter should be inquired into—because we shall have no respectable contractors coming here from the other colonies; and, in fact, the few we have here will not go any further when they find the obstruction and delay caused by the department. I have a difficulty in dealing with the matter, not understanding anything about railway work; but I give the statements as they are made to me and other members who know more about the business will be able to say whether the claims sent in are fair and reasonable; for instance, the claim in connection with measuring the fence nearly two years after it was erected, and the engineer making measurements when the contractor was not present, and when he refused to allow him to be present. There are two late Ministers for Works on the other side, and they will be able to say whether it is a fair thing that measurements should be made when the contractor is not present, which measurements, he says, are entirely wrong, and yet nobody was sent out to correct them. In every case that ever I heard of the contractor is present at the measurements, and if there is any difficulty, it is either settled at once or referred to another engineer who is also present, and determined. I think in such a case as this the contractor should have an opportunity of inquiry. If his statement is wrong, then it is all the better, because we can let the public know that he has been fairly treated, and that what he has said and what is said by me is all incorrect. A proper inquiry should be held to sift the matter and see whether he is right or the department is right. I am stating the case from one side. Some of the statements may not be borne out by facts, but still a fair chance should be given to the contractor by having a full inquiry. That is what I understood the Minister promised me he would do when I saw him upon the subject. That is what I told the contractor. I said, "Mr. Briggs, you may go to New South Wales. The Minister for Works is new to the department; it will take him some time to look into things, and he has given me a promise that he will fully consider the matter." The contractor went away on the faith of the statement which I had from the Minister, and after he had gone, the Minister acts upon some *ex-parte* statement that has been made which the contractor had no opportunity of being present to refute. That is why I ask for this select committee, and I hope hon. members will consider it a fair claim to make. I beg to move the resolution.

The MINISTER FOR WORKS said: Mr. Speaker,—The hon. member who has introduced this motion assumes, as is usual in cases where only one side is heard, that all the statements made, or, at any rate, portions of them, must be correct. The hon. member is quite correct in saying that I had something to do with the case before I left the Lands Office, in relation to the matter in which he says Mr. Briggs suffered loss through the mistake of an officer of that department. I read the statement made by the

hon. member more from curiosity than anything else, and in connection with the item of £19 19s. 10d. for fencing there is an explanation something to this effect: That after having put up forty-four miles of fencing, twenty-two miles on each side of the line, an inspector went over it and condemned a certain portion to the value of £19 19s. 10d. I said that if such was the case it was one of the most monstrous things I had ever heard—that he should be allowed to complete the fence before any proper inspection was made or any objection taken to the character of the work or material that was in it. When I went to the Works Office the hon. member brought the matter more directly under my notice, and I told him that as soon as I had time I would inquire what grounds there were for the statements that were made, and if they were correct, that I would make an inquiry into the other claims he had made. In consequence of that I required the Chief Engineer to give me a statement in regard to this particular item. I then found that a certain quantity of the fencing had been objected to shortly after starting, and that the contractor was required by the engineer or officer in charge of the works to substitute better material for part of the fence. At the place where this fence was erected there were considerable earthworks, and he represented to the supervising engineer, who reported it to the Chief Engineer, that if the fence were taken down while the stuff was being brought on the ground, the cattle, of which large numbers were in the locality, would come on the earthworks at night, and do more damage than a gang of men could put right in half-a-day. I know that is correct—that if you move your earth, cattle will come on it at night and tear it up—hold a corroboree on it in fact, and do an immense deal of damage. He suggested that the difference in value between the fence he had put up and that he should have put up should be deducted from each monthly certificate until the final payments were made. It was deducted from that time in each monthly certificate until the work was finished. It was in Mr. Brigg's interest that he was not required to remove the defective portion. When I found that, I assumed at once that if he would make a statement so grossly incorrect in reference to that item which I do understand, the other statements would be equally incorrect. But more than that, when I referred to the Chief Engineer, he told me that he had very closely investigated Mr. Brigg's claims, and had spent a fortnight on the works, in company with the engineer in charge of the line, inspecting and measuring the different works, in order to convince himself that the engineer in charge had carefully measured and returned them. He said he had taken special trouble over it, because Mr. Brigg had made frequent complaints about the engineer, Mr. Raff; and he felt perfectly satisfied that no investigation would alter the amount of work returned for which it had been determined to pay Mr. Brigg. Now, if it had not been for this particular case of the fencing I should have felt very much inclined to require that the work should be examined and measured by some independent person, knowing, as I do, how very one-sided the conditions of the contract were before they were altered by the late Minister for Works, who required that all claims should be settled each month, as the work went on, by arbitration. Previously the Chief Engineer was absolute, and that would have induced me to stretch a point, even if I had not felt confident that the claim was a just one. There is another matter which I do not know much about, but to which I think the application of ordinary knowledge can lead one to draw a correct conclusion. The hon. member for Stanley laid great stress on

the fact that this contractor used 200 casks of cement more than he thought he ought to have used.

Mr. KELLETT: He was told to put it in.

The MINISTER FOR WORKS: We all know that cement concrete is mixed in certain proportions, and all the contractor had to be paid for was the number of cubic yards of concrete in the work. If he used 1,600 casks of cement more than he expected he would have no credit for that; he had to put in concrete of a certain quality, and he was paid for that concrete by cubic measurement. To my mind that is an absolutely nonsensical claim; and where a man can make such a claim as that, it is quite enough to deter me from going to the expense and trouble of sending a man up to check what is really the Chief Engineer's work. The Chief Engineer says—and I have no reason to doubt his statement—that he went over all the measurements on the work. The hon. member for Stanley says that on my promise to inquire into the matter the contractor was satisfied and went off to New South Wales. Well, when the contractor first came to me I was not in possession of the information I am now giving to the House; but he came to me afterwards, before he went to Sydney, and I told him I would not inquire into the claim, and I told him the reason—that I had found his statement so incorrect with regard to the fencing that I would go no farther. The hon. member is wrong in that, but perhaps Mr. Brigg has misled him. Those are the facts of this matter so far as I know. My own knowledge of the matter is confined to the fencing, and the particular item the hon. member has referred to—the concrete. I do not think under the circumstances that the contractor is entitled to any inquiry at all, from the mere fact of his misstatements in regard to those two items. Of course the items of measurement are questions between engineers and contractors; and I know from my general experience that engineers and contractors differ very materially in their measurements sometimes. Which are right I do not know: I can only assume that the Chief Engineer at all events, with his special knowledge, would be most likely approximately correct. He would have no inducement, at all events, to make other than a correct statement, and a fair measurement of any work he had to report on. Of course, with the contractor it is different—he is always inclined to swell the amount of work he has performed. The question now is whether it is desirable, under the circumstances, to relegate a matter of this kind to a committee of this House. I may say that I think a committee of this House would be about as bad a tribunal as could be got to deal with the question. I do not think it is desirable that this House should take upon itself duties of this kind; if it is, half the session may be taken up with disputes between engineers and contractors. If any inquiry is to be made into the matter it ought to be done by a tribunal of professional men, and not by members of this House. I have no objection if there could be shown anything like a fair case, to allow it to be dealt with by men who are competent to deal with the matter—to check the measurements of the Chief Engineer or his subordinates. There is one other thing I wish to notice in the remarks of the hon. member for Stanley. He says it is very well known that engineers are in the habit of receiving tip from contractors, but at the same time he exonerates the supervising engineer in this case from any charge of the kind. Now, when he mentions the possibility of such a thing in connection with a particular case, the inference is that these men were bribed.

Mr. KELLETT: No; I was only speaking generally.

The MINISTER FOR WORKS: Then if the hon. member admits his remarks were not applicable to this case, it was very unfortunate that he should have mentioned the matter in connection with this case. As he disclaims any intention of imputing such motives to the engineer, he might have left it out of the question altogether. I am very sorry the hon. member mentioned it, as such rumours are always unreliable. The engineers as a rule keep contractors very closely to the terms of the specifications.

Mr. FOOTE said: Mr. Speaker,—I have heard nothing of this case except what has been advanced by the hon. member for Stanley and by the Minister for Works to-day. I know the parties in question, and have heard rumours that are by no means fair to the contractor. I think the hon. member for Stanley has made out a very good case, so far as the advisability of holding an inquiry is concerned; but I am in no way seeking to establish the case that the hon. member for Stanley has made out. When rumours of this sort are abroad, that contractors who have performed works for the Queensland Government are very unfairly dealt with in regard to settlements the matters should be cleared up if possible. The hon. member for Stanley only asked that anything that was done wrongly should be set right, and if the charges are not true, to let it be known that they are not true. The hon. member certainly made the remark about "tipping" engineers which the hon. Minister for Works has referred to, and I am very sorry it was made, because I think it has nothing to do with the case, and it does not help to strengthen it in any way. For my part, I have come in contact with the officers of the department in question in various ways, and have always found them to be men of great integrity. In not one single instance have I known of a case where the slightest suspicion could rest upon any officer in the department. In regard to the observation which fell from the Minister for Works, that this is not a case which ought to be relegated to a committee of this House, and that he has no faith in a committee of this House, I differ from him altogether. I think this is a case that ought to come before a committee of this House, and I have every confidence in a committee of this House. I am fully satisfied as to the honour and integrity of every member of this House, and to such a degree that I should not be afraid to let any possible case rest in their hands. They can notice how the witnesses give their evidence, and can understand that evidence and weigh it accordingly, and I am perfectly satisfied that a matter of this sort, if placed in the hands of a committee of this House, will receive thorough investigation. A party interested in this matter—not the contractor—in speaking to me about this case one day said that all that was asked was fair play. Let the measurements be made by some person in whom both parties have confidence; so that it may be clearly seen whether they were correctly made at first. As matters now stand, one party says "We have paid you what rightly belongs to you," and the other party says "I have not been properly treated; I have been unfairly dealt with, and I have a right to be paid for the work I have performed, and which the department has not paid me for." When a charge of that sort is made, a committee of this House is the right tribunal for considering it, and I am quite satisfied that if the motion is passed the committee will bring up a report which will be satisfactory to this House and the country.

Mr. ANNEAR said: Mr. Speaker,—The statement made by the hon. member for Stanley, Mr. Kellett, is very surprising indeed to me. So far as I know it is the rule that no measurements are made unless the Government engineer is accompanied by the contractor's engineer or by the contractor himself. Now, if such was not done—and I am sure the House has no reason to doubt what has been said—all I can say is that it is a departure from the usual practice that never took place in regard to any contract before in this colony. Another remark was made by the hon. member that I know is perfectly true. In my own case a percentage was paid upon the work, and two years afterwards the engineer came along and condemned that work. Any engineer or other officer who allows work to be erected, and in some cases allows as much as 90 per cent. to be paid upon it, and then condemns the work two years afterwards, is unfit for the position he holds. Then, as regards this cement concrete. The amount of that can be very easily ascertained. It can easily be seen if 200 casks of cement were used in the case mentioned. The concrete is made in certain proportions, and the engineer ought to know how much cement it takes to make a yard of concrete. I am sure Mr. Brigg will be able to show by his books how many casks of concrete were used in that work. The schedule of measurements will show clearly how many yards of concrete there are, and how much cement there should be, and if the Government engineer or inspector said that an extra quantity of cement should be put into that concrete, most decidedly, in my opinion, Mr. Brigg should be paid for it. The hon. member also stated that it has been said that there are engineers in the Government service who would take a tip from a contractor. I do not believe one word of that. I do not believe there is a district engineer, or an officer, as far as I know, in the Government service that would take one shilling or one hundred pounds from any contractor. I believe if it were offered, he would take it as the greatest insult. The Minister for Works objects to select committees. I lately had to sit on a select committee to inquire into a certain matter, and if such matters had been referred to select committees from the first, the result would have been far different throughout the colony, and those cases would not have been treated as they have been by the tribunal that has had to try them up to the present time. A select committee sat on a case this session, and I am sure no body of men could have come to a more just decision in the interests of the country than they came to. But the Minister for Works did not believe in it, and through his conduct and the support he got, a gentleman who had been ill-treated was neither more nor less than robbed out of his just due. Such may be the case with Mr. Brigg, and I have confidence in the gentlemen who will constitute the committee that they will thoroughly investigate the matter, and arrive at an honest and just decision. This is the first time I have heard anything about Mr. Brigg's case; but I think the hon. member for Stanley, Mr. Kellett, has, with one exception, put it before the House in a very mild manner indeed; and it is only fair to Mr. Brigg that this committee should be granted, in order that the statements contained in the letter may be verified. One remark made by the hon. member for Stanley was very clear—let an engineer outside the department measure three or four of the cuttings, and see whether Mr. Brigg's statement is correct or not. No man can ask less than that, and for the reasons I have given I shall support the motion.

Mr. CHUBB said: Mr. Speaker,—There is a question of principle involved in this motion. First of all, is there a claim for an inquiry; and

next, if there is, is there any other tribunal to which the matter can be referred? The hon. member for Bundamba seemed to take the view that if an hon. member chooses to bring any claim before the House it is our duty to grant a committee in order that the committee may bring up a report on the subject. I hold that any hon. member bringing forward a motion of this kind has to make out a case, and satisfy the House that the claimant has been injured. It is not sufficient to say that he has a claim against a Government department, and ask for a committee to find out whether he has a claim or not. Having satisfied the House that there is a fair claim for investigation, the next point to consider is whether this is the proper tribunal. Of course we know that this particular contractor has no redress, if he has been unjustly treated, unless he has the certificate of the Chief Engineer, which, I suppose, he has not got. If he has not that certificate, he has no legal claim. I am not satisfied yet that he has a claim. The Minister for Works has stated, with regard to the fencing, that it turns out to be no claim at all—that it was not according to specification, and was condemned for that reason. The other items seem to stand on the same footing. If he was to supply concrete of a specific character, and if he miscalculated the quantity of cement required to make the concrete, that is a misfortune, but he can have no claim upon the department on that account. If, however, he was ordered, as suggested by the hon. member for Maryborough, Mr. Anuear, to increase the strength of the concrete by adding more cement, he is entitled to be paid for it; and if the statement made by the hon. member for Stanley about the fence is true, he is entitled to be paid for that also. But if the statement of the Minister for Works is true, he has no claim. I should like to know what is the amount of the claim.

THE MINISTER FOR WORKS: I think it is about £2,000 or £3,000.

MR. CHUBB: Some questions were asked early in the session by the hon. member for Cook in connection with another section of the same line on which there are certain claims outstanding. Is there any reason why those claims, involving £40,000 or £50,000, should not be referred to a committee of this House? This is the highest appellant court in the colony, to which, if a man has a grievance, he may come for redress if he cannot get redress elsewhere; but before Parliament puts into operation the machinery it has at its disposal a strong case must be made out. I am not inclined to vote against the motion, and I am not inclined to vote for it. I am not satisfied; I would like to have heard something more on the subject. At present it seems to me that the weight of argument is against the motion, but I would be the last to deny justice to anybody who has been injured by the act of any department of the State.

THE PREMIER said: Mr. Speaker,—All railway contracts, like building contracts, involve a great number of details, and it is absolutely necessary, in order that they may be settled in a satisfactory manner, that some person should be appointed to inquire into any claims which may arise out of them; therefore, whenever a complicated contract has been made it has always been left to the arbitration of some person allowed to be a competent person. We leave ours to the Chief Engineer. I agree that there might be cases in which the Chief Engineer might be guilty of some extraordinary conduct which would justify the confidence in him being withdrawn; but is there any suggestion in this case that Mr. Stanley has not properly investigated

this matter? We are told by the Minister for Works that Mr. Stanley personally devoted a fortnight to the investigation of the claims, and went into them fully and carefully. Is there any reason to suppose that a committee of this House, sitting in a room downstairs, can come to a more accurate conclusion than the Chief Engineer? Is it suggested that the Chief Engineer has willingly done anything wrong? Which is likely to be the more accurate—the conclusion come to by the Chief Engineer on the measurements made by him there, or the conclusion of a select committee of this House, not one of whom is a professional man? The hon. member has made out no more case than this: "I made a contract by which the Chief Engineer was to decide the question of quantities and prices; I do not like his decision; I want the matter referred to a select committee of the House." The hon. member says no more than that, and his illustration about the fencing is a particularly unfortunate one. I should be very sorry if any injustice were done to the contractor, but it is a very serious thing to ask Parliament to appoint a select committee to review the decisions of the Chief Engineer on matters of quantities. On professional matters they would not, of course, be as competent as the Chief Engineer. I say that without any disparagement of members of this House. With regard to the cement, the quantity has been certified by the engineer. It may be said that the engineer told the contractor to put in more than is certified for, but it is always stipulated by the contract that all instructions of that sort shall be given in writing.

THE HON. J. M. MACROSSAN: No, they are not.

THE PREMIER: The order is given in writing, and it is very important that it should be so; otherwise a contractor might use any quantity of material he liked and say, "Somebody told me to put it in; pay me for it." It is very important that all instructions in building contracts, railway contracts, and various other contracts, should be in writing, and I have always seen that it is so in any contracts that have come under my notice. Of course where necessary material is used without an order, he would be a very mean man who would take advantage of the absence of the order. No man would take advantage of that in his own business, and no engineer who was arbiter between a contractor and the Government would do so unless it was quite clear that the material had not been employed. I confess that I cannot see any ground for appointing a committee in this case. If a committee is appointed, any contractor under the department for the last ten years in respect of whose contract there may have been any dispute may put forward as good a case as this and say, "I was dissatisfied; I do not like the decision of the Chief Engineer; I want a committee; this man said he was dissatisfied, and you gave him a committee, and how can you refuse a committee to any other contractor?" It is a very serious thing for Parliament to undertake executive functions. As has been pointed out a great many times, and in a great many places, the functions of Parliament are not executive, nor can it undertake executive any more than judicial functions. Its functions are to make laws, not to constitute itself a sort of superior head of the executive branch of government. When Parliament undertakes functions of that sort it is likely to lead to very serious inconvenience.

THE HON. J. M. MACROSSAN: Parliaments are gradually assuming those functions.

THE PREMIER: There is an attempt made to induce Parliaments to do that, but it is a very serious innovation, and a very dangerous one.

Parliament is not competent as it is constituted to undertake executive functions or to undertake the supervision of executive functions in that way. As I have already said, if injustice has been done in this matter I am sorry, and so is the Minister for Works sorry, but I do not think a sufficient case has been made out to refer the claim to a select committee of the House.

The HON. J. M. MACROSSAN said: Mr. Speaker,—I am certain that what the hon. gentleman says about his being sorry and the Minister for Works being sorry if any injustice has been done in this matter is quite true. Personally they would not do any injustice to anyone. I am not at all surprised at the hon. gentleman taking up the line of argument he has taken, as he was simply defending his own baby. The conditions under which railway contractors are working were drawn up by the hon. gentleman, and more one-sided conditions were never drawn up by anybody for the regulation of contracts. Those conditions, as he has said, make the Chief Engineer the arbiter in such cases as this, and he is made arbiter without any appeal being allowed from his decision. The Chief Engineer is not in a position to give an impartial decision in such matters.

The PREMIER: The conditions are entirely altered now.

The HON. J. M. MACROSSAN: They are not entirely altered. The hon. gentleman may say they are, but they are not; they are far from being entirely altered. The contractors of Queensland do not care the value of the paper I hold in my hand for the alterations the hon. gentleman has made. If the hon. gentleman wants to know the opinion of the contractors individually let him ask them or call a meeting of them.

The PREMIER: I have never heard of any objection being made.

The HON. J. M. MACROSSAN: I have heard objections, and they have been referred to in this House. The hon. gentleman says the Chief Engineer must be the arbiter in cases of this kind, and that it is always usual for some person to be arbiter in contracts; but who is the arbiter in contracts outside Government contracts? Is it not the law officers of the country? Is it not the Supreme Court that is the arbiter in every other case but Government contracts? There is the difference which the hon. gentleman carefully kept out of view when he was talking about the Chief Engineer being the arbiter in railway contracts. The Chief Engineer, from the position which he holds—I am speaking now independently of the qualities of the present engineer—is not fit to be arbiter, and for this reason, that he brings a certain set of estimates before the Government on which he takes his stand, and says, "This railway can be built for that amount," and his endeavour through his assistants, whether right or wrong, is to keep to that estimate. The Minister for Works accused the hon. member for Stanley of bringing forward a one-sided statement. The statement the hon. gentleman has made is also one-sided. I know the Chief Engineer better than the hon. gentleman, and as far as his statement is concerned I would take the statement of any ordinary contractor in Queensland against his. I am very sorry that the Government, when they had the opportunity given them by the late Minister for Works, did not allow the Chief Engineer to carry out the contract on the Stanthorpe line at his own estimate. The hon. gentleman at the head of the Government knows what I mean. Perhaps the Minister for Works knows it also. I am not prepared to say anything at all about the claim advanced in this case. I admit that, in general, committees of this House are not competent judges in such matters, but where else can a

claim of this kind be brought? A railway contractor, by the conditions of the contract he is obliged to sign, is debarred from the ordinary justice to which every individual is entitled. He has to sign his final certificate before he can get his money. If he did not sign it he would never get his money at all. That is the position he is placed in. The Chief Engineer holds the claim of the contractor in his hand, and says "If you do not sign this certificate you can get no money; if you do sign it you sign yourself out of court."

The PREMIER: He does not do that now.

The HON. J. M. MACROSSAN: The hon. gentleman may think so, but he does do it.

The PREMIER: I spoke to him very strongly about it.

The HON. J. M. MACROSSAN: The hon. gentleman will have to speak to him a great many more times. There is only one way of speaking to him effectively, and that is to allow him to carry out the work at his own estimate. Hon. members know what that means. I do not think committees, ordinarily speaking, are competent judges of matters of this kind, or that they should be a final court of appeal. But that is the only court of appeal that contractors can appeal to, and therefore, competent or incompetent, a select committee must deal with the matter. I agree with the Premier when he says that it is a dangerous innovation for Parliament to assume the whole of the executive, but Parliaments are gradually assuming the whole of the executive all over the world, and it will end in Parliament being the Executive, let it be a bad or good system. Unless Parliaments alter their constitutions there will be no chance of stopping the innovation. Now, I have listened patiently to the hon. member for Stanley. I know nothing of the case except what I have heard from him. I know neither Mr. Brigg nor Mr. Raff, but I do know Mr. Stanley and Mr. Gibbons, and I have come to the conclusion that some of the things mentioned will bear close investigation. The claim for cement is one. The Minister for Works treated that very lightly, because the Chief Engineer has told him that concrete is paid for by the yard. So it is; a thousand shillings or a thousand pounds, or whatever it may be.

The MINISTER FOR WORKS: I never asked him about the cement; only the fencing.

The HON. J. M. MACROSSAN: The hon. gentleman can speak of fencing from his own knowledge. He has as competent a knowledge of that as any member of this House, and so has the member for Stanley, but the matter of cement is regulated by quantities. There is cement in proportions of 1 in 6, 1 in 7, and 1 in 8, or whatever it may be. If the contractor contracted to use 1-in-7 cement, and he put in a larger quantity of cement into the concrete, we certainly ought to pay him for it, no matter how many cubic yards it came to. Then as to the question of loss of time in not getting permanent way and points and crossings. That is a claim that every man is entitled to have analysed, and the work paid for according to the loss he has sustained. I am quite sure it is no use for me to go into details of how the loss would affect a contractor, because the hon. gentleman would not understand me; but it is a very serious matter, and I am rather inclined to think that if the contractor was not paid for loss of time, as the member for Stanley says, a serious injury was done to him. I know what loss may ensue from a contractor not being supplied with material; and I know it is a common practice in Queensland—much commoner than it is elsewhere—for contractors to suffer serious loss through that cause, and the Engineer-in-Chief is to blame. He should have a

constant supply of railway material, and keep it constantly on the road to the contractors. As for measurements being made in the absence of the contractor, I was very much surprised to hear that. I have never heard of measurements being taken unless both parties were present. Would the Engineer-in-Chief be willing to accept the measurements of the contractor? Then why should he force the contractor to accept his measurements when the contractor had no opportunity of checking them? The thing is entirely one-sided. There is another very disagreeable thing that the hon. member for Stanley said, which was taken exception to by the Minister for Works. He said it was pretty well rumoured that the Government engineers took "tip." Well, I do not know of any who do, but I can certify to the rumours. I have heard them repeatedly, and although I could not prove any particular case, I think I could come very near proving something of the kind. I know that a contractor can be easily ruined by the officers of the department if he is not a favourite with them, and that his fortune can be made if he is a favourite. I believe I know one particular case where the Government was robbed, and the contractor benefited, but whether any "tip" was given or not, I will not undertake to say. It certainly looked very like it. Now, it is no use the hon. gentleman closing his ears to those rumours. If he asks the Chief Engineer he will say, "No, there is nothing of the sort"; but it comes to this: the Minister for Works has to defend the Chief Engineer, the Chief Engineer defends his next subordinate, the next subordinate defends the subordinate under him, till you get down to the lowest grade, and it is the subordinates of the lower grades who have the fortune of the contractors in their hands. Now, I shall certainly support the hon. member in his motion for an inquiry, but I am afraid the session is too near its death for an inquiry to be any good. I do not believe we shall have more than two or three weeks more to live in this House, and I do not think any good can come out of an inquiry held within that time. At the same time I think that the hon. member is quite justified in trying to do as much as he possibly can in the interests of the country, and in the interests of what the contractor claims to be paid for.

The MINISTER FOR LANDS said: Mr. Speaker,—The hon. gentleman who has just sat down says he does not think that any good can come out of an inquiry into this matter, in consequence of the short time the session will last. Well, apart from the merits of the question—I do not know much more about it than the hon. member for Stanley—I think that should settle it. If no good can come out of an inquiry—and considering these matters generally, nobody knows more about it than the hon. member for Townsville—I think we should stop here. If I thought that any good could come out of the request made by the hon. member for Stanley I would support the motion, other things being equal. If I thought there was a real or supposed grievance, I should be in favour of having it investigated. But the hon. member for Townsville does not think a select committee would be the proper tribunal to investigate or determine the merits of the question; that is another important point. I think professional knowledge is requisite, and that a knowledge of the departments is necessary, and I cannot think that a few members of this House, indiscriminately chosen, can investigate the case. The member for Townsville might be on the committee, and the junior member for Maryborough also, with advantage.

Mr. MOREHEAD: There is a name on this committee of a gentleman who is not a member of the House.

The MINISTER FOR LANDS: If no good can come out of the matter, as I have already said, that ought to settle it. Now, there is another matter to be referred to. The hon. member for Stanley mentioned that, besides this case which he wishes to bring under the notice of the select committee, Mr. Brigg has another grievance against the Government: that a Government officer required him to pay some money for a license to obtain some gravel, and it was afterwards found that this gravel was on private property. The parties to whom the property belonged threatened to proceed against the contractors for taking the gravel from their ground. It was a very difficult question to decide whether the Government had a right to give the contractor a license to take this gravel or not. It was considered that it should be tried by the court, and the court decided that the Government had not that right. This gentleman then received substantial justice. He put in a large claim for over £2,000; that would not bear examination. It was made up of extraordinary items—but I will say no more of that, except that he claimed more than he had any right to claim. I was obliged to investigate that matter myself, and I did so very carefully. I came to the conclusion that it would be a fair thing, as the Government were originally in the wrong, that the money paid for the license should be handed over to him, and that all the expenses he incurred in trying the case should also be returned to him. That was done, and I say the man received substantial justice in that matter, and I think the hon. member for Stanley has greatly weakened his own case in this instance, by dragging in that matter which has nothing to do with this case.

Mr. KELLETT: He got nothing like justice.

The MINISTER FOR LANDS: He got substantial justice, and if the hon. member had inquired into that case as carefully as I did, he would come to the same conclusion.

Mr. KELLETT: I know more about it than you do, or than you ever will know.

The MINISTER FOR LANDS: I do not think so. As the hon. member for Bowen has said, the hon. member has not made out a case this afternoon. He said, "Here is a long written statement; I will not read it, and I do not thoroughly understand the question;" he gave us some of the contents of it, and said, "I cannot vouch for the truth of these statements—they may be true or they may not—but let a select committee be appointed to inquire into them." As the hon. member for Bowen said, the hon. member did not make out a case to justify the appointment of a select committee; and even if he did, the hon. member for Townsville has told us that a committee of members of this House would not be a competent tribunal to investigate the case. Under the circumstances I cannot support the motion. If the hon. member had shown that injustice was done this man, and that by the appointment of a select committee justice would be done him, I would vote against my party to support his motion, although I am a member of the Government.

Mr. FOXTON said: Mr. Speaker,—I know more, probably, about the case referred to by the Minister for Lands, in reference to this gravel, than either the hon. gentleman or the hon. member for Stanley, because I happened to have been professionally concerned in that matter, and know exactly what it cost Mr. Brigg. I can safely say that the amount awarded him by the Government did not anything like cover the amount of expense to which he had been put in consequence of the error committed by the Government officer, and the support which his action

subsequently received at the hands of the Government. I forget the exact figures, but I am within the mark in saying that Mr. Brigg's actual expenses in connection with that matter were certainly not less than £800 over and above the amount he subsequently received as compensation from the Government. The amount he received was the costs of the action, which he had to pay, and the actual sum paid by him for the license to take the gravel; but he was mulcted in very much larger sums than that. He had actually to build a railway and a bridge over the Brisbane River.

Mr. WHITE: The bridge is standing there now after all the floods.

Mr. FOXTON: Yes; there it stands, a monument of the fact that Mr. Brigg was put to very much more expense than was afterwards refunded by the Government. I only refer to that because the Minister for Lands said that Mr. Brigg received substantial justice. Possibly there was an item in Brigg's claim which was slightly far-fetched, though I thought it fair.

The MINISTER FOR LANDS: Yes; £600.

Mr. FOXTON: No; £500 for loss on contract for ballast. We know what position a man is in who makes a claim against the Government. He makes his claim, and the Government say, "We will give you so much." He knows after the Government have decided, it is useless to haggle about it. He must either accept their award or else try to force their hand by some other means, and the Government, in such cases, are stronger than private individuals. Mr. Brigg did what the Minister for Lands or anyone else would probably have done under the circumstances, and although he felt he was not receiving all he was justly entitled to, he said, "I will take this and write off the balance as an irretrievable loss." As to the case before us now, it appears to me but the natural outcome of the elimination from contracts of the clause providing for arbitration. By the way, I may mention that under the new form it is provided that the Government shall appoint two arbitrators and the contractor one. That is the new form intended to do justice to contractors. But in Brigg's contract there was no provision for arbitration.

Mr. MOREHEAD: It is strange that there should be two relatives on the committee proposed.

Mr. FOXTON: I intend to refer to that presently.

Mr. MOREHEAD: If I had not said it you would never have alluded to it.

Mr. FOXTON: I fully intended to do so, despite the hon. member's impertinent interjection. This man comes before this House, and through the member for Stanley makes an assertion that he has not received justice. He gives a detailed statement of items he claims against the Government, and which is not replied to by them. The Minister for Works says that the statement was investigated by him. Brigg's statement comes to us at first hand, while that of the Minister for Works does not, because he receives his information from the Engineer-in-Chief, who received his from Mr. Raff. The investigation held by the Minister for Works was a one-sided investigation, and only dealt with two items, and on those two statements we get nothing further than we have got from the hon. member for Stanley. I admit that a committee of this House may not perhaps be the best tribunal to try a matter of this sort, but what other course is open to the contractor? He is denied justice everywhere else. I have now come to the question which the hon. member for Balonne suggested, and was good enough

to insinuate that I would never have touched upon had he not given me the cue. I think I may fairly leave it to the members of the House to judge between us. Possibly the hon. gentleman may disbelieve other hon. members to whom I mentioned it before, if they should come forward to corroborate my statement. It so happens that I mentioned the fact to other hon. members, and gave my reasons why it was advisable that I should not be on the committee. I know nothing of the case except what I have heard during the debate. Although I have acted professionally for Mr. Brigg in other matters, I know nothing about this particular matter; but having acted professionally for him in other matters, the moment I saw my name on that committee I at once told the hon. member for Stanley that I should have to refuse to sit. That hon. member, therefore, as I understand, spoke to the hon. member for Bundanba, Mr. Foote, during an earlier period of the debate, and he consented to act on the committee in my place. That would not have been done had I not intimated to the hon. member before, that I wished my name to be withdrawn from the committee. I had no intention to sit upon it from the first. Long before the hon. member for Balonne mentioned it, the hon. member for Bundanba had consented to take my place on the committee. I need scarcely say more on that subject. I shall certainly vote for the appointment of this select committee, and I will ask the hon. member for Stanley to amend it in such a way that the name of the hon. member for Bundanba may appear in place of my own.

Mr. MOREHEAD said: Mr. Speaker,—I am rather astonished at the speech of the hon. member who has just sat down, and I am astonished in more than one way. In the first place his relations with Mr. Brigg were of course well known to himself when this motion was originally tabled. He has also admitted to-night that he was aware that his relations with Mr. Brigg were of such a nature that would make it—I will not say prohibitive, but inadvisable that he should not sit upon this committee. But there are more reasons than that why he should not sit upon this committee. In addition to the reason given by himself, which is a full and sufficient one, there is the intimate connection between that hon. member and the hon. member for Stanley, which would make it too much of a family party. That idea would impress itself on my mind, at any rate, and, I daresay, on the minds of many others who look at it in the light that I do. What has been the action of the hon. member for Carnarvon with respect to this matter? Knowing as much when he commenced his speech as when he finished it about the anomalous position he would be placed in if he sat on the committee, instead of saying at once, as he ought, without any further remark, that his relations with Mr. Brigg had been of such a nature that it was impossible for him to sit on the committee, what does he do? He seems to think he is in court, acting as counsel for Mr. Brigg.

Mr. FOXTON: I know nothing whatever about this claim.

Mr. MOREHEAD: He makes a long speech on the matter, and winds up by saying, after what he was pleased to term the "impertinent interjection" made by myself, calling attention to his anomalous position, that he does not intend to sit upon the committee. The hon. gentleman, of course, says he was in no way induced to make that statement in the latter portion of his speech by any interjection of mine, and I accept his disclaimer at once; but it seems to me a strange thing that he in no way alluded to the position he was placed in until that interjection was made. True, he says he had told several other

members what he intended to do. At any rate, he veiled his intentions from the House until they were revealed by the interjection I made. I think the records of the debate to-morrow will show that I am correct in saying so.

Mr. FOXTON: My successor had actually been agreed to before you spoke.

Mr. MOREHEAD: The hon. member is now revealing the secrets of the charnel-house. His successor had actually been agreed to before he addressed the House. The hon. member tells us that his successor had been decided upon. But the hon. member's own appointment has not yet been consented to by the House; therefore it seems rather premature to nominate his successor, although, of course, it may have been mentioned in the close coterie which has this matter in hand. It looks to me as if it was a cooked committee, or rather a packed committee, brought together for a certain special purpose. I had no suspicion until the hon. member spoke that it had been arranged in secret conclave to substitute the name of the hon. member for Bundamba—who, I am sure, would not be a party to anything that is of a dubious nature—for that of the hon. member for Carnarvon. It seems to me, Mr. Speaker, that the formation of this committee wants looking into very carefully. The hon. member for Carnarvon abandons a position which he did not abandon until I made an interjection.

Mr. FOXTON: I did.

Mr. MOREHEAD: The hon. gentleman will excuse me, but until I made the interjection the House did not know that it was his intention to abandon that position. I do not say for a moment that he did not intend to do so.

Mr. FOXTON: And I stated so to other members.

Mr. MOREHEAD: The idea was, no doubt, developing. What the hon. member said to his friends is a matter that lies between them and himself. I am simply speaking as a member of the House, and I say that that further development was not conveyed in intelligible language to the House. I think I have stated my meaning very clearly, and I am certain that the legal mind of the leader of the Government will grasp it. With regard to the appointment of this committee, I daresay it is very advisable that a committee of this sort should be appointed. I thoroughly believe in upholding the right of appeal to this House when any individual feels himself aggrieved by the action of the Government. But after what has been pointed out by the hon. member for Townsville, as to its being improbable that any definite result could be obtained from the appointment of the committee at this late period, and looking to the possible expense the colony might be put to, it may not seem unreasonable to many hon. members to oppose it. I admit at once that I am not sufficiently seized of the merits of the case to vote for it. I doubt very much whether I shall give a vote one way or the other upon it. But I am glad that I have had an opportunity of calling attention to the composition of this committee. And while on the subject of the composition of committees, I may point out to you, sir, that one of the gentlemen proposed on this committee, so far as we know, has no existence. The rules of this House require that before a man can become a member of a select committee he must be a member of this House. That has been the practice in the past, and I suppose will be in the future. There is the name of an individual called "Allen." I do not know whether he is a gentleman or not. Perhaps the hon. gentleman in charge of the motion can tell us. He was an authority on

gentlemen last night; I do not know whether he is to-night. Sometimes he is, and sometimes he is not. I do not know of the existence of "Mr. Allen." The name is not in the list of members of this House. I therefore object to the motion as it stands as being informal, and hold that it must be ruled out of order. I object to any amendment, and I really do not think that with all the talent the hon. member for Stanley has at his disposal that he should have put in his relative or connection first and then a bogey individual who appears to have no existence.

Mr. LUMLEY HILL said: Mr. Speaker,—I intend to oppose the appointment of this committee. It is another attempt of these alms-giving committees that always bring up charitable resolutions in favour, I will not say of robbing the public purse, but of depleting it. I find that committees are always very anxious to be charitable at the expense of the public. I have heard a little outside with regard to this matter of Brigg, and the gravel-pit, and the damage that was done; and so far as I am aware, and according to the opinions of people for whom I have respect—who are perfectly disinterested—this claim of Brigg is a ridiculous one. I have heard that the hon. member for Townsville, Mr. Macrossan, has supported this claim.

Mr. MURPHY: Therefore you oppose it.

Mr. LUMLEY HILL: No; but I think he might have included the claims of McSharry and O'Rourke in the Brisbane Valley line while he was about it. The country has run risk enough of being defrauded through the claims on that Brisbane Valley line already.

Mr. MURPHY: Go on; we want some stonewalling.

Mr. LUMLEY HILL: We shall have plenty of time for that to-night. I think the other Brisbane Valley line claims ought to have been included as well as those of Mr. Brigg. I think there is not the slightest necessity for the committee. I am not a firm believer in committees or their reports. Ever since I have been a member of the House I have never yet seen but one instance in which a claim referred to a select committee has been dismissed; that was the claim of Mr. Porter the other day, and I was very glad to see that for once in all its life a select committee actually dismissed a claim. I do not believe anything will come out of this committee if it is appointed. Mr. Brigg has got his legal remedy, and I do not see why he should come to this House asking for cheap justice. Asking for a select committee is simply asking for cheap justice—for cheap law.

Mr. MURPHY: How else is he to get it?

Mr. LUMLEY HILL: Why not go to the Supreme Court?

Mr. MURPHY: That shows what you know about it.

Mr. KELLETT: He does not know what he is talking about.

Mr. LUMLEY HILL: Why should he enter into a contract, then, in which he put himself in such a position that he would be debarred from going to law? I do not think he should be entitled to the privilege of a select committee to award him, probably, a sum of money at the expense of the general taxpayer. I shall certainly vote against the motion.

Mr. KELLETT, in reply, said: Mr. Speaker,—I think I can pass over very lightly the remarks of the last speaker. It is very evident that he does not know what he was saying. Whether he has got over his stonewalling and late hours yet I do not know, but his health cannot be very good to talk such an amount

of arrant nonsense about a thing that he knows nothing about. I think he should study a subject a little before he talks such tomfoolery in this House. The leader of the Opposition has alluded to the hon. member for Carnarvon being proposed on the committee. It was my mistake in putting his name down, and the minute the hon. member came to the House he told me that he could not act, and that I had no business to do it, but I did not understand him in that way when speaking about the matter the other day. I immediately asked the hon. member for Bundamba, Mr. Foote, who kindly consented to act on the committee, if appointed. Since then it occurred to me that the hon. member for Maryborough, Mr. Annear, who has had to do with contracts of this kind, would be a better man, as he knew something about the business, and he said he would be willing to take the place of Mr. Foxton, and Mr. Foote was only too glad to get off. That is how the matter stands. As to the remarks of the Minister for Works about the fencing, I do not know whether the statement is correct or not. Like a good many other statements, there is his on one side and mine on the other. Then with regard to the cement, it is clear that he knew as much about that as the hon. member for Cook, Mr. Hill, knows as to how contracts should be settled after being decided by the Engineer-in-Chief. The hon. member for Townsville explained very well how a greater quantity of cement might be used. I say such a thing can be easily got at, and if the quantity represented was used it is nothing less than downright robbery, to put it in very plain words, that it should be determined as against the contractor. The statement about the contractor seeing the Minister for Works before he went to Sydney I know is correct. I had mixed that up a little from the fact that he had gone to Sydney twice, and I referred to one time instead of the other. I think it advisable to have this select committee on account of the Engineer-in-Chief; because, if it is proved by the evidence that he or his subordinates have fully examined into these claims, satisfied themselves that they were not justifiable ones, and that the contractor was not entitled to this money, the railway officials will be exonerated with regard to a matter that the public believe they have not dealt fairly with. I think it is generally believed in this House and outside that the Engineer-in-Chief takes the part of his subordinates whenever anything is said against them. People go too far in matters like this, and I think it should be brought before a select committee—not consisting of professional men, as the Minister for Works seems to think. I think common-sense men can understand evidence just as well as professional men, in the same way as a judge in dealing with such a case, though not having anything to do with railway matters, can give his opinion of a case from the evidence received: and that is what a committee would have to do. For that reason I think it advisable, if for nothing else, that a committee such as I have referred to should be appointed. I am astonished that any Minister or any Ministry should object to this, because all their actions should be above-board, to show that they are not trying to take points on contractors. Men working for the Government should be fairly treated, and should receive the payment they are entitled to, and it should be the duty of the Ministry to give them their due. There was an allusion made by the Minister for Works that, by inference, I made out that Mr. Raff, the engineer, was likely to take a tip. I did not infer that, nor did I mean to infer it in any shape or form. I said that I did not believe it, and how the Minister for Works should say I inferred such a thing is more than I can understand. Some

people have rather crooked minds, and they can twist things in very unaccountable ways. I did not allude to Mr. Raff, but said that there were rumours, which I and many other hon. members heard, that such was the case, and that that was a reason why contractors did not come forward and tender. Men are very chary about coming here and undertaking contracts for the Government. The present Government thought it advisable to introduce an arbitration clause into all their contracts, instead of the old system of having the decision of the Engineer-in-Chief final. They considered it was not advisable to continue that system, and during the present Parliament they altered the conditions, and inserted an arbitration clause in the contracts. The hon. member for Townsville says the arbitration clause is of no value, and I am very much inclined to think he is quite correct, because, from what I understand, the Government appoint two men and the contractor appoints one. If that is so, it is pretending to give some way of having the case tried, which is not a fair one. In every arbitration I ever heard of there was one man appointed by each side, and they chose an umpire. I thought that this was the last contract let under the old system, but the Minister for Works says it was not. Anyhow, it was one of the last, and I thought that as the Government had made an alteration so that other contractors had the benefit of arbitration, they might allow it in this case. That, I think, would be fair play. The Minister for Works says he does not think the members of this House could form an intelligent committee. The hon. gentleman may think that he would not be fit for it, but there are other hon. members who would be perfectly able to hear evidence and bring up a fair report on the evidence. I have not spoken to a single gentleman whose name is proposed to be placed on this committee, except to ask him to sit, and I have not asked a single member of the House whether he intends to support it. I have brought it forward on its merits. There is another matter which I did not allude to before, but which proves part of the case. There are a great many box-drains on this line, and Mr. Raff had one way of measuring them which the contractor considered the wrong way. There is a cap at the end of each box drain, and instead of measuring all over he refused to measure over the cap, but measured the bottom part, leaving out the cap altogether. That made a difference of a certain quantity in each drain, which amounted altogether to a substantial item. Now, I have made inquiries from a gentleman thoroughly up in this matter, who, I suppose, has measured as many drains as anyone in the profession, and he told me he never knew of their being measured in that way before. Then I ask why should it be done in this special case? I say there is no other way than this by which the contractor can get justice. If he could have taken the matter into court, I have no doubt he would have spent his money in trying it. The Premier says I have not made out a good case; but I do not know that with the same material he could have made any more out of it. I had no evidence to prove the case; if I could do that there would be no necessity for the select committee. I have merely given certain statements as they were given to me, and I ask the consideration of the House whether it is advisable to have a select committee to inquire into them. How could I make out a good case? I was not pleading like the hon. gentleman in a court, bringing affidavits and witnesses. I had no witnesses or affidavits to bring. I will defy the Premier, great lawyer as he is, to do any more under such circumstances than make statements. I have made statements—I do not say that they

are correct—and have done the best I could out of the material I had. The hon. member for Townsville said he was afraid that even if the committee were appointed they would not have time to obtain evidence to bring a report before this House before the end of the session. But if the members of that committee will pay attention for a day or two they will be able to take all the evidence there is. There are only two or three witnesses. The contractor himself is away in New South Wales, but he can be here in three or four days if a telegram is sent to him. The other witnesses are on the spot and can be brought together at once; and even if the report is not brought before the House this session, it will be a valuable document to show whether the Government engineers in Queensland are acting fairly to the contractors or not. That is the case I have.

Mr. HAMILTON said: Mr. Speaker,—I shall certainly support this motion, and I hope the committee will be granted. One of the chief arguments of the Minister for Lands against the motion was that the hon. member for Townsville stated that no good can accrue from it at this late period of the session. But the hon. gentleman must have misunderstood the hon. member for Townsville, who stated he was sorry the session was so near its end, as he feared it would be too late to discuss the report. But the hon. member who brought the matter forward would not have done so if he had not been satisfied that it was not too late. All the evidence necessary can be obtained in one or two sittings. The engineer has made a report, and no doubt those portions of it which he has made from his own personal observation can be relied upon; but portions of it have been made from representations made to him by his inferiors, who have again been reported to by their subordinates. I think it was very unfair that those measurements should have been made in the absence of the contractor. It is evident that such a thing is utterly unjustifiable. The Minister for Works and the hon. member for Bowen stated that a committee should not be granted unless specific charges are brought forward, and also evidence in support of those charges. I should certainly think it was very unfair to make charges against any individual in his absence, or to attempt to bring any evidence unless he was present and listening to that evidence. The hon. member for Stanley has, I think, done the correct thing in asking for an inquiry, and when that inquiry takes place, no doubt we shall hear all those charges. It is perfectly clear that Mr. Brigg would not have asked for an inquiry if he had not been perfectly satisfied that he would be able to bring evidence in support of his statement, and we know perfectly well, from what we know of the hon. member for Stanley, that he would not have asked for the inquiry had he not been perfectly satisfied from the information he had received from Mr. Brigg that there were ample reasons for doing so. The explanations which have been attempted to be made by the Minister for Works in regard to the matter have not been satisfactory. For instance, Mr. Brigg made one specific statement, that he had supplied a certain amount of concrete more than he had contracted to supply, and for which he had not received any compensation, and the Minister for Works tried to explain that by saying that the contractor had sent in an estimate to supply concrete at so much per cubic yard, and had he supplied four times as much he would only receive the scheduled price. But that does not meet the case, because it appears that Mr. Brigg was forced to put a larger amount of cement into the sand than usual, which made it far more

expensive. That was a very great injustice, and it should be remedied as soon as possible. That is the manner in which contractors appear to be treated by the Railway Department. It appears that the contractor has done work which it is admitted he should be paid for. Suppose that a contractor has done work equal to £8,000 or £10,000, and the Chief Engineer has admitted that he is entitled to that money. If, in addition to that, he believes he has another just claim, the engineer has power to refuse to pay him the money which he has admitted the contractor has justly earned, unless he signs a release to the engineer on behalf of the Government, which deprives him of the power to prosecute them for the further claim to which he persists he is entitled. That is an unfair and iniquitous proceeding, and as soon as some alteration is made in the regulation the better. In regard to this matter, if the department and the Government officers consider that their action is correct, they can have no objection to an inquiry. When any application for an inquiry is brought before us by any member of this House it should always be granted. It costs nothing, and may do good, despite the statement made by the Minister for Works, that he attached very little weight to the verdicts of select committees. That is not the general opinion of either this or any British Parliament in any part of the world. The mere fact of select committees having been appointed from time immemorial by the various British Parliaments shows that weight is attached to their decisions. We must recollect also that this contractor has no other remedy, because he was forced against his will to sign that release in order to obtain that money which was due to him. Ruin was staring him in the face at the time, and he now turns to the only tribunal to which he can appeal. He makes no charges, but states that he has met with injustice, and asks the House to allow him an opportunity of bringing forward evidence to prove that he is entitled to his claim.

Mr. DICKSON said: Mr. Speaker,—I shall not give a silent vote upon this subject. I think, after the debate which has taken place, we are entitled to grant the hon. member for Stanley the committee for which he asks. Without entering into the merits of the case at present, I may say that I think a *prima facie* case has been made out, and having no other means of obtaining an investigation the contractor might fairly come to this House and ask us to inquire into the allegations he makes, and make such award as may be just. I agree with the hon. member for Bowen that Parliament should not be made a perpetual court of appeal for disappointed contractors. I do not think that sort of thing should be encouraged; but we are bound to consider every application upon its individual merits, and it would be a cruel thing to deny a hearing to a man who has a grievance, simply because we wish to carry out an abstract principle that Parliament shall not let itself be made a court of appeal. It would be far better to err on the other side so long as we have the power of discriminating. I believe that committees of this House have at times performed very useful functions. The tendency of a Minister is undoubtedly to protect his department and to rely upon the representations of his subordinate officers, and I think he is right in doing so; but in doing this it is quite possible that he may be led, unwittingly, to inflict an injustice upon some man who has been unfairly dealt with at the hands of the department. I do not think the time of the committee asked for would be wasted, and I do not think the time of the House would be wasted either in considering the report of that committee. I shall support the motion of the hon. member for Stanley.

Mr. PALMER said: Mr. Speaker,—Without championing either the case brought forward by the hon. member for Stanley or the case put by the Minister for Works, I should like to say that there is a principle connected with this and other cases in regard to carrying out large contracts in this colony—a principle of justice in connection with paying contractors under the Government. There is no doubt that the conditions of contracts are arbitrarily worded and are equally arbitrarily carried out, and the result is that injustice will sometimes happen. A case connected with the Hydraulic Engineer's branch of the Colonial Treasurer's Department came under my notice not long ago. In carrying out contracts for the excavation of dams in the interior, the specifications are so unnecessarily strict that the Government have to pay 2s. 6d. a yard, while the managers of the surrounding stations can get the work done quite as well, if not better, for 1s. 6d. a yard, and the country has to pay the difference. One of the conditions is that the Government, previous to the work being commenced, actually has a mortgage on the contractor's working plant, his bullocks, drays, horses, tools, and everything else connected with the contract, while the contract is being carried out. That is quite a needless condition, and I think some alteration might be beneficially made with respect to the conditions of contracts. By clause 21 of the general conditions in contracts in connection with our railways, it is expressly declared that the obtaining a certificate from the Chief Engineer that the work has been satisfactorily executed, shall be a condition precedent to the contractor having any right or cause of action in respect of work done or material provided. I think that might be altered with advantage. I do not say that a committee of this House is the best tribunal for such cases as this, but after the matter has been sifted by the select committee, their report is brought before the House to be dealt with, so that it really has a double sifting.

Mr. MOREHEAD: It is generally prejudged by the debate which takes place before the committee is appointed.

Mr. PALMER: I think it is as fair a tribunal as that provided by the arbitration clause of the Railway Act, which provides that the Government shall name two arbitrators and the contractor one, and it is as good as the elections and qualifications committee that used to sit on election cases, for which nobody ever had a good word. I think it is time the conditions of contracts were modified so as to put contractors in a position more fair to them than those now in force; and in the meantime I intend to support the motion.

Mr. KELLETT said: Mr. Speaker,—I ask the permission of the House to substitute the name of Mr. Annear for that of Mr. Foxton.

Amendment, by leave, agreed to.

Question, as amended, put—and the House divided:—

AYES, 32.

Messrs. Fraser, Smyth, Jessop, Mellor, Isambert, Thorn, Lissner, White, Campbell, Nelson, Macrossan, Pattison, McMaster, Wakefield, Bulcock, Buckland, Foxton, Annear, Murphy, Hamilton, Norton, Dickson, Kellett, Chubb, Macfarlane, Allan, Morgan, Black, Adams, Kates, Ferguson, and Palmer.

NOES, 8.

Sir S. W. Griffith, Messrs. Jordan, Moreton, Dutton, Rutledge, Bailey, Lumley Hill, and W. Brookes.

Question resolved in the affirmative.

MOTION FOR ADJOURNMENT.

THE CLOTURE.

The HON. J. M. MACROSSAN said: Mr. Speaker,—I intend to move the adjournment of the House, in order to bring forward a matter

which I think ought to be brought before the House. Hon. members may recollect that yesterday a paragraph appeared in one of the evening papers—I do not know whether it appeared in more than one, but it appeared in the *Observer*—which was headed “The New Standing Order.” Last night the hon. gentleman at the head of the Government took occasion to read the beginning of that paragraph, and afterwards to comment very severely upon some people who had started the rumour contained in the paragraph. The hon. gentleman said:—

“He desired to say that whoever made that statement, which was ‘generally believed’—he did not believe it was ‘generally believed,’ it must have been an extremely partial belief—whoever had made the statement from which that inference was drawn was a deliberate liar. He could use no more proper language to express it. There was absolutely no foundation for any such statement. It was absolutely false and unfounded. It was a statement made simply for the purpose of damaging the Government, and had absolutely no foundation whatever. Somebody had made that statement, he assumed, and had induced some persons to believe in it. He knew pretty well the source from which most of the falsehoods circulated about the Government emanated.”

It is that statement upon which I wish to make some observations. The hon. gentleman repeated several times that the statement was utterly false and without foundation, and had no foundation whatever, and then he added that he knew the source from which the statement emanated.

The PREMIER: I said I did not know the source.

The HON. J. M. MACROSSAN: The hon. gentleman said he knew pretty well the source from which most of the falsehoods circulated about the Government emanated.

The PREMIER: Hear, hear; I said I was not certain about it.

The HON. J. M. MACROSSAN: The whole of the time the hon. gentleman was speaking he was looking pointedly at this side of the House, and he assumed, I have no doubt, that the falsehoods which he alluded to, and this statement in particular, emanated from this side of the House. I should have taken no notice of that, only the hon. gentleman assumed a great deal of indignation. He was extremely dramatic in his attitude. All that he wanted to appear in the character described by his colleague, Mr. Brookes, yesterday morning, was the cloak which hides whatever of humanity the hon. gentleman has in his breast. The hon. gentleman did not attempt to particularise any person or party from whom the statement emanated, though he seemed to know from where it had sprung. But he was followed by the hon. member for Ipswich, Mr. Macfarlane, and he certainly particularised the source from which it had sprung. I did not hear him, but my attention was drawn to the matter, and I read the debate; and I think it is my duty now to call the attention of the House to what the hon. gentleman said, and comment upon it afterwards.

The PREMIER said: Mr. Speaker,—Is the hon. gentleman in order in referring to a previous debate in the House?

The HON. J. M. MACROSSAN: How weak and thin? It is a thing that is done repeatedly.

The SPEAKER: The Standing Order upon the point is:—

“No member shall allude to any debate of the same session, upon a question or Bill not being then under discussion, except by the indulgence of the House for personal explanation.”

If the hon. member is speaking on a motion for the adjournment of the House, he cannot refer to a previous debate. If, however, it is a matter of personal explanation, the hon. member must ask the indulgence of the House, and he will then be in order

The HON. J. M. MACROSSAN said: Mr. Speaker,—I did not introduce the matter as a personal explanation, but on a motion for the adjournment of the House. It is a matter to which my attention has been drawn, and it seems to concern myself; therefore it may be, so far as I am concerned, a personal explanation, though it was not brought forward in that way.

The SPEAKER: The hon. member, in order to put himself right, in accordance with the Standing Orders, had better ask the indulgence of the House.

The HON. J. M. MACROSSAN: I shall ask the indulgence of the House.

Mr. W. BROOKES said: Mr. Speaker,—Will the hon. member for Townsville allow me to ask you a question? Can any debate arise on a question of explanation?

The SPEAKER: No.

The HON. J. M. MACROSSAN: I have moved the adjournment of the House and taken the usual—

The SPEAKER: The hon. member cannot put himself right by moving the adjournment of the House in order to refer to a previous debate. That would be quite contrary to order. He will have to withdraw his intended motion—because it has not been put from the chair yet—he will have to withdraw his intended motion, and then he can make a personal explanation by the indulgence of the House.

Mr. MOREHEAD said: Mr. Speaker,—Rising to the point of order, I have no doubt that you are theoretically correct in the interpretation you have given of the Standing Order, but this Standing Order is more honoured in the breach than in the observance. Why, sir, there is not one night in the history of this House in which a previous debate has not been alluded to, and if a misstatement is allowed to be made in this House, say, to-night, is it not to be corrected, and are the Standing Orders so strong that that matter is not to be corrected to-morrow? Why, the thing is too absurd.

The PREMIER: Nobody disputes that.

Mr. MOREHEAD: Nobody disputes it except the Premier. He objects to a former debate being referred to when a misstatement was made—at least, so says the hon. member for Townsville, and I agree with him.

The PREMIER: He has not said so.

Mr. MOREHEAD: The hon. member has said so, and will say so if he is allowed to proceed. I have always known that the Premier is frightened of the member for Townsville. The lash of his tongue is known to be too much for the Premier, and now he wants to gag that hon. gentleman. Well, I can assure the hon. the Premier that, no matter how unimportant a member may be, no matter how feeble a member on either side of the House may be, so long as he is able to express his opinions in vigorous English in this House, I shall never be a party to stopping that hon. gentleman, whoever he may be, from expressing his opinions. However, it is not necessary to detain the hon. member for Townsville. I hope he will insist upon his right, either directly or indirectly, to refer to what he has intended to refer.

Mr. W. BROOKES said: Mr. Speaker,—As you have allowed the leader of the Opposition to say a few words I just want to interpolate this. I am not aware that there is any wish on the part of anyone to prevent a personal explanation.

Mr. MOREHEAD: We are going beyond that.

Mr. W. BROOKES: That is what I wish to say, and this also: that if we wander away from our Standing Orders we shall get bushed. We

shall not know where we are, if we allow matters which have been introduced in previous debates, to be debated to-night, and next night, and next week.

Mr. MOREHEAD: So they may be.

Mr. W. BROOKES: That would destroy the very existence of this Assembly.

The HON. J. M. MACROSSAN said: Mr. Speaker,—The hon. member who has just sat down put the matter very concisely. He says we are bushed. There is no doubt that we have been bushed for several evenings, but I hope we are getting out of the bush. Now, the difference between what I want to do and making a personal explanation is this—that on a personal explanation there can be no debate. This subject, although personal to me, should be debated and fully debated. Now, I shall conform to your ruling, Mr. Speaker, and shall not quote from any *Hansard* as to what has taken place during the debate that took place yesterday. But the hon. member for Ipswich referred to me. He said that after what the hon. member for Townsville had said in the morning he was not surprised at what appeared in the *Observer*. Now, in fact, the *Observer* was printed two hours before I saw that statement. It was published two hours before I saw it, but I think I could give some explanation, probably, of why it did appear in the *Observer*. At the same time I may say that the hon. gentleman who represents Ipswich, Mr. Macfarlane, was very much like Thomas Didymus. He believes nothing unless he can place his fingers on the point. Now, we will make it so clear to-night that probably the hon. gentleman will feel it with his fingers. He will not believe that anything had been said about the *clôture*, either on this occasion or on a former occasion. I think the dramatic representation which the Premier indulged in might well have been avoided, because I am certain the indignation which he affected was not real. It was entirely assumed, and I believe a great deal of the indignation was caused through his having been found out. When he saw the paragraph in the *Observer* newspaper he must certainly have come to the conclusion that somebody had told the *Observer* of something he had intended to have done in regard to the *clôture*. Now, what I know about the *clôture* is this—and I may say that the hon. member for Enoggera was perfectly right in saying that I was not the first to mention it in the House yesterday. I was preceded in that by the hon. member for North Brisbane, who probably derived his information from the same source that I derived mine from—rumours that were going about this Chamber; but on the 19th October I did hear something about the *clôture*. There was a very acrimonious debate, and stonewalling was being carried on on the Redistribution Bill by the hon. members for West Moreton, who had joined together to obtain additional representation to which they thought they were entitled—and they certainly had my sympathy. That stonewalling had been carried on for several nights, and on both sides of the House members were beginning to be dissatisfied with the Bill being impeded in its progress, as both sides were interested in having it passed, and there had been a good deal of growling which certainly might not have come to the ears of the members for West Moreton, because the people concerned are generally the last to hear what is said about them. But that evening the hon. gentleman who leads the Opposition walked across the floor of the House and said to me, "Griffith intends to introduce the *clôture* to stop the stonewalling." I said, "No; it cannot be; I do not believe it." He

said, "I have seen the resolutions. He took them out of his box and showed them to me, but I said I did not want to read them." I then said to the leader of the Opposition, "That is proof enough; but Griffith will never pass the clôtüre in this House as long as I have got legs to stand on." There the matter ended. On the same night during the debate, when the West Moreton members were asked by hon. members on both sides of the Committee to withdraw the stonewall, I also asked them to give way, and told them that they had stuck to their point long enough, and that they should give way gracefully; but I added that if they were determined to carry on the stonewall in the interests of their constituents, they had my sympathy—that although I did not agree with them, I would not be one to attempt to crush them, as they were about to be crushed by a means which I said at that time I would not mention. That is in *Hansard*, and it was in the *Courier* the next morning. The gentlemen who sit in the gallery and do the reporting of the evening and the morning papers, commenting upon that, stated that the means, which I would not mention, by which the members for West Moreton were to be crushed was understood to be the clôtüre. Now, I did not inform the members of the *Courier* staff of the clôtüre, and I never spoke of the clôtüre from that evening until yesterday at about midday. About 2 o'clock I told the hon. member for Bundamba what I am saying now. From the 19th October until yesterday I never spoke of the clôtüre to anyone, and I told that gentleman then that the Government had intended to clôtüre the members for West Moreton, and he might thank the Opposition, and especially the leader of the Opposition and myself, that they were not clôtured. Now, that is the history of the clôtüre. Is it any wonder, then, that from the 19th October until yesterday this should become known. I have no doubt the leader of the Opposition told some other members of it.

Mr. MOREHEAD: Hear, hear!

The Hon. J. M. MACROSSAN: I am certain I told no one, but probably he was not the only person to whom the leader of the Government told it. At any rate the rumour got about that they intended to clôtüre the members for West Moreton. Surely if it was understood that the Government intended to clôtüre their own supporters, it is not a great stretch of imagination for the people connected with the newspaper Press to imagine that they would clôtüre those opposed to them. That is how the paragraph appeared in the paper yesterday, and how the rumours about the House got so rife. The first thing I heard when I came to the House yesterday morning was, "Griffith is going to clôtüre us." Of course I laughed at it, because I knew that even if he dared attempt to do it, he could not do it; it was beyond his power. I now distinctly charge the Government itself with being the foundation of the rumours, and the hon. Premier on the occasion I refer to very properly said he knew the source from which they sprang.

The PREMIER: I said I did not know the source.

The Hon. J. M. MACROSSAN: The source from which they sprang is the box on which the hon. gentleman now leans. That is the source from which those rumours of the clôtüre sprang. I beg to move the adjournment of the House.

Mr. KELLETT said: Mr. Speaker,—I happen to be one of the individuals who were mixed up in the stonewalling, by the members of West Moreton, of the Electoral Districts Bill, and I heard also the rumour that we were to have the

clôtüre applied to us. The Premier said to me in a joking sort of way, "If you are going on in this sort of way we shall have to clôtüre you." I laughed at it and took it simply as a joke, and thought no more of it.

Mr. MACFARLANE said: Mr. Speaker,—As my name has been mentioned in connection with this matter, I may state that in what I said I had not the least intention of implying that the hon. member for Townsville originated the paragraph that appeared in the *Observer*. I may add I did not hear the hon. member for North Brisbane, Mr. Brookes, say anything on the subject; the hon. member for Townsville was the only member I heard refer to it, and I subsequently made the observation that after the remarks that hon. gentleman had made I was not surprised that that paragraph should have appeared in the *Observer* in the afternoon; neither was I. I was not aware that those rumours were going abroad, and I do not believe they were going abroad. The hon. member for Townsville said I was somewhat like Thomas, and that I would not believe anything unless I put my finger on the point. I think, however, it is quite proper not to believe anything injurious of a friend until you are given proper reasons for doing so, and I say now that I do not believe the Premier ever intended to bring forward the clôtüre. I do not believe it now, even after what the hon. gentleman has said, and I believe that an explanation will be given of the matter. Can anyone believe for a moment that the leader of the Government would apply the clôtüre to seven members of his own side of the House, and expect to get the whole of the other side of the House to assist him? I know the members for West Moreton would not for a moment allow such a system to be applied to them; I, for one, would not. I say now that I do not believe such a thing was intended. Though something might have been shown to the leader of the Opposition from the Premier's box, I do not believe it was any such thing as has been stated. I certainly never heard of it from the Premier.

The Hon. J. M. MACROSSAN: Let him deny it.

Mr. MACFARLANE: The hon. gentleman will get an opportunity of denying it now, and as he generally gives a very reasonable explanation of all that he does, and is very well able to meet all those opposed to him, I feel sure he will be able to do the same now.

Mr. MOREHEAD said: Mr. Speaker,—I have very great sympathy with the hon. member for Ipswich, Mr. Macfarlane; I also am a doubter. After having read the whole of the story, I have always thought that St. Thomas, after all, was a man we must all have a great respect for. He was evidently a lawyer, an individual who wished to have tangible evidence put before him before he arrived at a decision, but, having had that tangible evidence put before him, not one of the apostles was more willing to admit that which the others had admitted with blind faith. I have, as I say, the greatest possible respect for St. Thomas, and I have also a great respect for the hon. member for Ipswich. I cannot compliment the Premier, however, upon having such a friend as the hon. member for Ipswich will turn out to be before this is all over. I would not, at the present time, have risen to speak upon this subject but for the remarks of that hon. member. The hon. member has said that he was not inclined to believe, and would not believe that such a state of affairs prevailed with regard to this particular proposal to put on the clôtüre, on the evidence adduced by the hon. member for Townsville. I certainly should have

thought that the Premier would have told the House exactly the position he had taken up. It was a perfectly defensible position to take up. Had I had been in a similar position to the hon. the Premier, I think, possibly, I would have adopted a similar course.

The HON. J. M. MACROSSAN: You would not have been permitted.

Mr. MOREHEAD: I do not say I would have adopted it, but I might have, and it is a position quite defensible in one way. However, if I had adopted such a position I would not have shrunk from defending it, though I admit that if I had strong men in front of me I should be soon driven out of such a position. The hon. the Premier knows as well as I do, and possibly better, that he did intend to put the *clôture* upon the recalcitrant members for West Moreton if they persevered in their opposition to him. You, Mr. Speaker, from your long experience, will, no doubt, agree with me that it is not usual for the leader of the Government to take the leader of the Opposition into his confidence on any occasion. Nor is it at all advisable that he should take the leader of the Opposition into his confidence when he intends to introduce repressive measures.

The PREMIER: It is sometimes dangerous to talk to a person occupying that position. It depends on the kind of man.

Mr. MOREHEAD: It does, on both sides; the hon. gentleman is perfectly right. Speaking for myself, I have never courted the confidence of the Premier, and I have found that on every occasion when he has attempted to court mine it was with the idea of giving me the worst of it. Therefore I feel suspicious in dealing with that hon. gentleman. However, to deal more particularly with the question that has been raised by the hon. member for Townsville, I would say that the Premier did propose to introduce the *clôture*. He had the proposition in print. I could almost describe the piece of paper it was printed on. He handed it to me. I was sitting where the Minister for Works is now, and the Premier was sitting where he is. When he handed me that paper, I said I did not want to see it; that, as I did not believe in the *clôture*, I would rather not read it. The hon. gentleman did not exactly insist upon my reading it, because that would be impossible. He handed it to me, and I glanced over it, and handed it back to him.

The PREMIER: What!

Mr. MOREHEAD: I handed it back to the hon. gentleman. Have I stolen it? Have I kept it?

The PREMIER: You never saw more than the back of a blank sheet of paper.

Mr. MOREHEAD: The hon. gentleman handed it to me and asked me to read it, and I told him I never would be a party to introducing the *clôture* into this House. I came across the Chamber, spoke to the hon. member for Townsville, who was sitting where he sits now, and told him what had transpired, and what my views were on the matter. Those are the facts. I care nothing for what the Premier says. I know that I tell the truth. I know I am stating what is absolutely correct. I tell the hon. gentleman further, that the day before that he came over to me and asked me if I would be a party to introducing the *clôture*, and I told him I declined to be an accessory either before or after the fact.

The PREMIER: I never heard of that before.

Mr. MOREHEAD: Then the hon. gentleman's mind must be a blank, and his memory must be a blank, as it has been on previous

occasions. What have I to gain by making this statement? What is it to me whether the Premier did so or not? But it is something for him to deny now what he has done. I am astonished, sir—

The PREMIER: So am I—very much astonished.

Mr. MOREHEAD: I am astonished, sir, at the unblushing effrontery of the Premier taking up the position he has taken up now. Is my ability so great—and hon. members saw me talking for a few seconds with the Premier opposite, and then return to my place here—is my ability so great that I could invent such a story as I have related to the House to-night? If it were, I ought to be one of the greatest writers of fiction the world has yet seen.

The PREMIER: Or speaker of it!

Mr. MOREHEAD: I can write, too; and, perhaps, after what has taken place the hon. gentleman is sorry that he can write. I have stated the facts with regard to this *clôture* business. I have stated the plain unvarnished truth. There is not one word I have stated here to-night that is not absolutely correct. And, as I said, I am perfectly staggered at the effrontery, the presumption of the Premier in denying the statement I have made. Why should he have denied it? Why should he not justify, if he can, the introduction of the *clôture* into this House? It is the position that those people at home—those gentlemen in the House of Commons whom he so affects—have taken up; and if the time has arrived in this colony that such a strong measure as the *clôture* should be introduced, I for one would be quite prepared to argue the question with him, and would be quite prepared to admit that it is arguable. But I never for one moment thought that the hon. gentleman would have given me to-night a deliberate denial of what, as a matter of fact, really did take place a few nights ago. It is to me astonishing; it shakes my confidence in the good faith, the truthfulness, and the honesty of public men, when I find the Premier saying what he has said to-night. If I was lying on my bed, sir, at my last gasp, I could not affirm more than I have affirmed to-night, that every word I have stated is true. Let the Premier answer me as he may.

The PREMIER said: Mr. Speaker,—I suppose I must answer the hon. member. I have been, sir, in this House a great many years, and I have had some experience in public life here, and some knowledge of public life beyond the boundaries of this colony. I have occupied the position of leader of the Government for some years; I was leader of the Opposition for some years; and I held a prominent position in the Government before I was leader of it; and I have always understood that there was a code of honour existing between the leaders on both sides. And I still understand, Mr. Speaker, that there is such a code of honour, although the hon. gentleman who now occupies the position of leader of the Opposition does not seem to be aware of it. I have, both as leader of the Opposition and as leader of the Government, had occasion to have many conversations with the leader of the other side of the House, but never with the understanding that in the conversations that took place between gentlemen who, from their positions are bound, to a certain extent, to have—I will not say confidential, but familiar intercourse—that in those conversations they were bound to weigh every word, and that if they did not, an attempt would be made to make party capital out of it; or that either of those gentlemen would get up in the House and narrate what, after a lapse of time, he may conceive to be his recollections of a conversation

which very likely had passed from the memory of the other. Those are the notions in which I have been brought up in this House, and which have been confirmed by my reading of what takes place in other places, and by my knowledge of what takes place in other places. Those are the principles on which I have acted. They are the principles which are accepted and acted upon by men of honour occupying similar positions. It appears, however, that there are some persons who do not recognise these rules of honour, who think it is fair to make use of casual conversations—perhaps in the House, perhaps outside the door, perhaps while passing on the staircase—who treasure them up in their minds and narrate them to their friends from day to day—possibly with variations—and who finally, when they have evolved them into dimensions of sufficient magnitude, bring them forward as accusations against a political opponent. All I have to say is, that I do not understand these things, and I hope I never shall. I am afraid I shall never learn sufficient caution to deal with persons of that kind. It is not in my nature. I have made a good many mistakes. I can remember, as it has afterwards turned out, in the course of my career here, instances of incautiously speaking to persons who I thought were worthy of being spoken to in that way. I remember a few instances. I am afraid I do not get wiser as I get older. Possibly I never shall, and I shall not be ashamed if I do not, because it is a fault I would much rather have than the other fault which I have just been describing. About three or four weeks ago, when a measure that was urgently demanded by the country was under consideration by this House, and was opposed by a small minority, the Government were bound to consider what they would do in the event of the opposition being continued. It is the duty of the Government to look ahead to consider what course they shall take, and it must have occurred to anyone that almost the first thing to be considered in a case of that sort was whether it would be justifiable to ask to apply in this House the rule which is applied in nearly every other legislature in the world. It must have occurred to anyone. It is perfectly true, as the hon. member for Stanley said, that I said to him outside the House “We shall have to put on the clôtüre.” I daresay I said it to other people. Very likely I said it to the hon. member who sits opposite. I do not know whether I did or not.

Mr. MOREHEAD : You know perfectly well.

The PREMIER : The hon. gentleman need not interrupt. Very likely I said it ; I do not know whether I did or not. I do not keep a diary in which I enter a note of every statement I make to the hon. member for Balonne or any other member of this House. That is not my way of doing business. Mr. Speaker, I hope I shall gradually learn wisdom. I am afraid I shall not—

Mr. MOREHEAD : I do not believe you will.

The PREMIER : In that respect. The only way would be to maintain absolute silence. Fortunately we are not surrounded on this side of the House by gentlemen to whom these measures of caution need be applied. I may have said to the hon. member every word he says I did. I do not remember it. I do not care whether I did or did not. The thing was necessarily and naturally in my mind. I am of opinion that the principle that is called the clôtüre might, with due care, be very properly applied in the Assembly, but I also believe it should never be applied unless a clear and overwhelming majority of Parliament was in favour of the measure to which it

is proposed to be applied. I have never discussed this with hon. gentlemen. The time has never arisen. I did not even discuss it with my colleagues. But it did occur to my mind as one of those things to be considered, and so it would occur to everybody else. And if I was foolish enough to hint it to a member on the other side of the House all I can say is I am sorry that I was foolish enough to do so. It is only an instance of folly. I do not profess to be incapable of acts of folly. I admit I have been guilty of many acts of folly in my career in even thinking that some members were members with whom I could deal as with men possessed of and guided by the ordinary principles of honour. That is one of the greatest mistakes I ever made, I admit. This matter was not even discussed by the Government. It was a matter passing in my own mind, and I mentioned it to the hon. member for Stanley. I daresay I mentioned it to some of my colleagues. I know it was not discussed by the Government collectively. The hon. member for Balonne asserts that he came over to this side of the House ; that I showed him a paper.

Mr. MOREHEAD : Yes.

The PREMIER : He says he looked at it, but never saw what it was.

Mr. MOREHEAD : It was a piece of paper like the piece I hold in my hand. The hon. gentleman knows it.

The PREMIER : The hon. member did come over to me here.

Mr. MOREHEAD : I did not go over.

The PREMIER : Well he happened to be here. He did not come. How did he get here?

An HONOURABLE MEMBER : In a balloon !

The PREMIER : He was here. He flew over. He got here. Being here and talking to him, and talking to him as I am in the habit of talking to members whom I consider worthy of being spoken to—

Mr. MOREHEAD : Oh !

Mr. HAMILTON : What a high honour—to be spoken to !

The PREMIER : I used the expression advisedly. The hon. member said, “What are you going to do?” I protest, Mr. Speaker, against being obliged to refer to a conversation of this kind. According to all rules of honour they are recognised as conversations not to be repeated. I protest against the indignity, the humiliation of having to refer to such a conversation.

Mr. MOREHEAD : That is since you saw the Queen !

The PREMIER : I congratulate hon. members who can laugh ; it shows minds capable of being able to laugh under such circumstances. He said, “What are you going to do?” I said, “Do something of this kind,” and I showed him a piece of paper folded up.

Mr. MOREHEAD : No.

The PREMIER : He said, “I do not want to know what it is.” That is what happened.

Mr. HAMILTON : That is too lame.

The PREMIER : What was in that paper I am not in a position to say.

Mr. MOREHEAD : Was the clôtüre ever printed?

The PREMIER : That paper that I had in my hand was not a printed paper, and the hon. member does not know what it was. That is the fact. I say the question of that matter was in my contemplation. It was a thing that had to be taken into consideration as something that might possibly have to be done, but it would

have had to be very carefully weighed before it was done—I do not know whether it would have been done.

Mr. MOREHEAD: Did the hon. gentleman ever speak to me on this side of the House with regard to the *clôture* question?

The PREMIER: I said just now that I might have spoken to the hon. member on the stairs, in the smoking-room, or in many places. I do not keep a diary of every trifling conversation that takes place. I do not know what I said, and I do not care. If a conversation of that kind is a thing to be remembered it certainly is not a thing to be repeated. That matter passed. I have told the House all that I know about it. Necessarily it passed through my mind as a thing to be contemplated, and which possibly might have to be taken into serious consideration. What would have been done I do not know. Whether I should even have come to the conclusion that it was a right thing to be proposed; whether, if I had, my colleagues would have agreed with me; whether if they had agreed with me it would have been considered desirable to propose it, after consulting our friends, who certainly would have been consulted before a proposal of that kind was made; whether, if they had agreed to it, the House would have agreed to it: these are all matters that never had to be considered. The matter necessarily occurred to my mind, in the position I occupied, and I admit that I was indiscreet enough to hint that the matter was passing through my mind to the member for Balonne. Now, what connection has that with the matter discussed last night? Absolutely none. That was a concrete falsehood.

Mr. MOREHEAD: A statement made by me?

The PREMIER: I am not referring to the hon. member for Balonne. The statement made in that newspaper was a concrete falsehood. It purported to give the text of certain resolutions, which it said it was generally believed had been prepared by the Government, and were intended to be introduced. Now, I will just say this: I do not think I am bound to explain to this House what passes in my mind. I have to express my regret that in one sense I was foolish enough to speak the thoughts that were passing in my mind. But it certainly never occurred to my mind that any such principle as the *clôture* should be applied where there was a substantial majority of the House opposed to a proposition. Certainly such a thing never occurred to me. I do not know, I am sure, whether I should have proposed anything of the kind, nor had I suggested what form the proposition should take. The matter simply amounts to this: that I, in what I must admit was a weak moment, trusted the hon. member for Balonne, he being leader of the Opposition and I being leader of the Government, and we speaking together in a purely informal manner; and I mentioned an idea that was passing through my mind. That is the whole matter. It appears now that the hon. member for Balonne is anxious to take upon himself the responsibility of being, not the author, but of being the person from whom originally emanated the idea which found form in that paper yesterday afternoon.

Mr. MOREHEAD said: Rising to a personal explanation, Mr. Speaker, and only to a personal explanation, I am not the person from whom the paragraph in the paper yesterday evening emanated. If I had been, I would have been perfectly prepared to justify it. As a matter of fact, I was not, so the hon. gentleman, probably, will have to find some sheep in his own fold to father the truth.

Mr. W. BROOKES said: Mr. Speaker,—I am not in the fold, but I must confess that what has been going on for the last half-hour has been very painful. I think, however, that we need not increase and magnify unduly and falsely its importance. Now, the explanation—

Mr. MOREHEAD: Let us get the truth.

Mr. W. BROOKES: The truth! Well, you will get the truth from me as far as it is in me.

Mr. MOREHEAD: You will get the truth from me too.

Mr. W. BROOKES: I think I can offer a very simple explanation, and I feel perfectly sure, Mr. Speaker, that if the explanation I presume to offer is reasonable, the first member of the House to accept it and to believe in its reasonableness will be the leader of the Opposition; only just at this present moment he is a little bit sensitive, and we may get off the lines of propriety and order unless we keep very close to the line and keep our tempers pretty calm. Now, with reference to what appeared in the *Observer*; after what has been said in this House we can understand what has been going on for two or three weeks. It seems to me the easiest thing in the world and the most probable that the *Observer* newspaper got to know what had been going on for those two or three weeks just as I got to know it. I, for one, was not in this secret; I heard rumours, as hundreds of others did. Very well, the *Observer* gets hold of this, and it copies out the *clôture* rules as they were, I think, intended to be submitted by the New South Wales Government, if they were not actually submitted. It was evident, of course, that they did not apply here, because they named the minimum at forty members; but then there was the unfortunate preliminary heading that "the following, it was believed, were the propositions which would be introduced into the House by the Premier." Now, that is where the mischief comes in. Now, I ask the hon. member for Townsville, I ask the leader of the Opposition, I ask all the gentlemen on the other side of the House, and I ask the hon. members on this side of the House—to just take it into consideration whether we are not giving a great deal of importance to what has not very much in it. We cannot exist at all as a deliberative assembly if we cherish the feelings which I apprehend are ready now to spring forth and blossom. We must entertain kindly feelings towards one another or we cannot exist. I wish well to those who oppose me, just as I can work amicably with those with whom I am associated. I do dread—I am speaking, Mr. Speaker, with my whole heart—I do dread that subdued silence and that suppressed emotion in talking about matters which between gentlemen who trust one another should very quickly be disposed of. I am sure none of us want to quarrel.

Mr. MOREHEAD: No; but we want the truth.

Mr. W. BROOKES: Well, it is a very easy thing, in the search for truth, to override the truth, or pass it by without seeing it. That has happened many a time in the life of everyone here. I think we may accept—indeed we have no alternative but to accept—what has been said by the hon. leader of the Opposition. I would take his word for very much more than that. I do not believe he is capable of intentionally putting a false colouring upon anything. I frankly, implicitly, and fully believe what he said; and I now ask the hon. member to chivalrously accord the same generosity to the Premier.

Mr. MOREHEAD: Not when it comes to a matter of fact.

Mr. W. BROOKES: Now, I put this very pointedly to the hon. member for Balonne. He occupies a position in this House of equal importance to the Premier. There is no mistake about that.

Mr. MOREHEAD: I won't move one word from what I said. Every word is true.

Mr. W. BROOKES: I will endeavour to point out that it is quite in harmony and quite reconcilable with everything that has fallen from the Premier.

Mr. MOREHEAD: Is it?

Mr. W. BROOKES: I believe if there is any disposition to harmonise them—if there were any wish that they should be harmonised—it would be found so. Here are two statements apparently conflicting, as we often find to be the case in our own experience. Well, now, there is nothing that could be more quickly done than to harmonise them, if there were a wish that they should be harmonised, and it is done without a sacrifice of truth. The truth is more quickly arrived at, and when it is arrived at, anything like anger or bitterness or strife subsides, and there is, at all events, as much calm as is compatible with the necessities of the case. That is all we want. We do not want any false calm: I would not say "Peace, peace!" when there is no peace; but we must find out in this House what I am afraid is a little in danger; we must find out—and I am now speaking directly to all members on the other side, and mainly to the leader of the Opposition—it is absolutely necessary that we should find out a *modus vivendi*. I am really more grieved than I can easily express to think that we should be on the verge of a quarrel which, if it is persisted in, will only increase in magnitude until there is a general explosion, and legislation is absolutely impossible.

Mr. BLACK said: Mr. Speaker,—I was very much amused at the remarks of the hon. gentleman who has just sat down—at the hon. member for North Brisbane posing as a peacemaker. I think, Mr. Speaker, that one of the most amusing speeches I have heard from that hon. gentleman—and the most offensive, I will add—was the speech he made last night, when he was referring to the hon. member for Enoggera, the ex-Colonial Treasurer. He did not pose as a peacemaker then—as the goody-goody man which he assumes to be now. He was in a different character. I think that if any hon. member occasionally attempts to stir up strife—the thing which the hon. gentleman has just now deprecated—and to raise animosity between certain sections of the House, that hon. gentleman must take the very foremost place. He is about as clever in raising trouble—as the saying is—and then trying to smooth it down afterwards by sophistry, as any man I ever met. Now, what does all this amount to? The country wants to know what is the truth. A rumour has got abroad, and been published in the papers yesterday, that the Premier intended to introduce the *clôture*. The Premier, so far as I remember, yesterday, in referring to the matter, intimated that anyone who breathed such a statement, attributing it to the Government—if I mistake not the words he used—was a "deliberate liar." Those, I think, were the words, and he looked over to this side of the House, inferring that he knew pretty well who was in the habit of circulating such falsehoods, as much as to say that that was not the first time. For a long time to-night the hon. gentleman was inclined to disclaim that it had ever been the intention of the Government to do anything of the kind at all. He fortified himself in making that statement by appealing to the Ministers—his colleagues—as to whether he had ever proposed such a thing to them. What does that prove? Does the hon. gentleman ever take the other members of the Cabinet into his confidence? Is he in the habit of doing so? Does he not frequently bring forward measures

which, if they had carefully been considered by the other members of the Cabinet, would not have been introduced at all? The hon. gentleman is the Cabinet. He consults with his own mind as to what he is to do, and he does it. Did the hon. gentleman, or did he not, contemplate introducing the *clôture*? I unhesitatingly say, from my own knowledge, that he did, and, although I did not hear until quite recently that the leader of the Opposition knew about it, I have no doubt that the Premier, if he taxes his memory, will remember that he told me so also. I did not treat it as a particularly confidential communication; but I certainly did not go about talking about it very much. I was assisting the hon. gentleman to get the Redistribution Bill passed, as it gave an increased measure of representation to the North, and I considered that it was very likely to be thrown out. The Premier certainly told me that he thought he would have to apply the *clôture*. There is no doubt about that, and I do not think he can contradict it. I do not see why he should. I remember that I said at the time that it would be a very dangerous precedent to establish. I can tell the hon. members for West Moreton that it really was intended; if not, the Premier must have been mad. Nothing short of downright insanity could induce a gentleman in the Premier's position to tell several hon. members about it. I unhesitatingly say that he told me, and the leader of the Opposition says he told him. He showed that hon. gentleman a piece of paper, and whether the proposals were written or printed on it I do not know—I never saw them in print—but the Premier told me he intended to introduce the *clôture*. There is not the slightest doubt about it, but I am very glad that it was not done. The Premier states that he showed the leader of the Opposition a folded paper; but whether that was done with the intention to mislead or not, I do not know. The hon. members for West Moreton may rest perfectly assured that if their stonewalling tactics had been carried on for that evening only, that measure would have been introduced. I admit that if the matter had been brought forward for discussion in this House, the House would not have allowed it to be passed. But the Premier had the intention of introducing it, if compelled by any further opposition by the West Moreton bunch. I believe the measure would never have been agreed to, anxious as we were to see the Redistribution Bill passed. I told the Premier that it would be a most dangerous precedent to establish. It would have cut both ways. There may be a change of Government, and once allow a measure of that sort to be introduced, a minority could never be able to make itself heard, as it can at present. I have no personal feeling in the matter beyond what I have said, that I disapproved of its introduction when it was proposed, and I can corroborate what the hon. leader of the Opposition has said about it. As to whether the Premier will condescend to speak to me or to the other members of this House, it does not matter a snuff of a candle to me. It is a matter of perfect indifference to me. The hon. member, I notice, is in the habit of getting on a very lofty pedestal, where he believes himself perfectly unapproachable. He is a little "I am," but the time is not far distant when he will be able to take that rest, I hope, which I am sure his brain is very much in need of, and I also hope he will find by the results of the next few years that he is not that great prophet which he wants to lead the country to believe he is. I hope that something more successful than his attempts at legislation is not far distant.

Mr. LUMLEY HILL said: Mr. Speaker,—I have listened with great attention to this very acrimonious debate, which has arisen from what

I believe to be a very insufficient cause—a wretched paragraph in a newspaper which is utterly irresponsible. I read the paragraph and dismissed it from my thoughts without a moment's hesitation directly I saw it. I knew it was ridiculous from the very terms in which it was couched, and that there could not be any possible truth in it. We have heard a great deal of conflicting evidence as to who heard of the *clôture* being intended to be introduced. Some say it was intended to be applied to the West Moreton bunch; others go further, and say it was intended to be applied to those who opposed the Thane's Creek railway. I can say this: that I never heard one word, either from the Premier or from any leading man of his party, about it. I should not have been at all likely to believe in applying the *clôture* even to the West Moreton bunch, whom I was opposed to. If I had heard of it I should have at once denounced it and opposed it, quite as much as I should have opposed it in regard to the Warwick and Thane's Creek railway. I should have utterly opposed it, even in the interests of a very small minority, when I thought the Committee ought to have been able to snuff out the stonewallers without resorting to any of the iron-hand business. I give the hon. member for Mackay credit for having volunteered to sit up, and let the Premier go home, and fight the West Moreton bunch. I know he did so, and other members of the Committee would have fought that solitary bunch. There was not the slightest necessity for the *clôture*; but the Premier might have been taking soundings as to what the *clôture* would do amongst the Opposition. I can only say he did not come to me.

Mr. MOREHEAD: I have stated exactly what did take place.

Mr. LUMLEY HILL: The statements are so diametrically opposed that I would not like for one moment to say I disbelieve either of them.

Mr. CHUBB: Like the story of the ass between two bundles of hay.

Mr. LUMLEY HILL: I am not going to say for a moment that I disbelieve either.

Mr. MOREHEAD: It is nothing to me which you believe.

Mr. LUMLEY HILL: Perhaps not. The hon. member said it would shake his faith in all public men and in all public business. My faith in public men in this colony was shaken long ago, and by the hon. member for Balonne as much as anybody and by some of those who are now sitting with him. I have been for some time looking for the truth, like Diogenes with his lantern, but have never succeeded in finding it. I believe people in this House dream dreams and see visions and think things are justifiable in parliamentary life and political lines of action that many of them would be utterly ashamed of in any ordinary business or social relations of life. I believe their imaginations become so fervid and exercised that they really take a view of words that are said quite different from the intention the man who speaks them wishes to convey. I believe they misunderstand things not willingly but unconsciously.

Mr. MOREHEAD: That accounts for a good many of your speeches.

Mr. LUMLEY HILL: Very likely; my speeches are on record for the member for Balonne or anybody else to refer to and bring me to book upon. Many of them are well worth reading through, though they may not be palatable to a good many members of this House. There are some reflections in them that are not altogether complimentary to some hon. members. Even in connection with the debate which took

place earlier in the evening, and the division which took place on the claim of Mr. Brigg, I will venture to be prophetic, and say this is a preliminary precedent to introducing the claims of McSharry and O'Rourke with respect to the Brisbane Valley railway. I mention this as an exemplification of what may be done. The contractors undertook to make nineteen miles of railway for £36,000; they drew the money, and then sent in excess claims amounting to £42,000; and it is admitted that the Minister for Works of the day, at the time the contract was let, was a partner with those very men in works performed over the border in New South Wales. Coming back to the subject under discussion, I do not see whom we are to believe or whom to disbelieve. I myself mix them and believe a little of both. I am somewhat like Thomas called Didymus, who did not believe much that he did not see borne out by surrounding circumstances, and I do not see any surrounding circumstances to assist me in this matter. I think, however, that too much importance has been attributed to an utterly irresponsible, unauthorised newspaper attempt at the prophecy business, which did not come off. I am certain the Premier never could have had the slightest intention to introduce the *clôture* on the last occasion, whatever ideas he might have had about it on the former occasion, when a small bunch of members attempted to stonewall. It would have been utterly futile to have attempted to force it, and on those grounds I dismiss the matter from my mind.

Mr. MURPHY said: Mr. Speaker,—I regret exceedingly that a matter like this has cropped up in the House, but I am quite certain that, in the end, we shall be able to find some easy solution of the difficulty. I am satisfied that both the Premier and the leader of the Opposition are pretty accurate, so far as their memories go, in the statements they made. I have no doubt in my mind that the leader of the Opposition is perfectly right in what he said, and we know that it is almost impossible for the Premier, with his multifarious duties, to keep every little circumstance that happens in his memory, though I know he has a very good memory, from constant application to certain lines of thought. There is no denying that the Premier had it in his mind to introduce the iron hand, as it is called in Victoria, or, as it is called in England, the *clôture* resolutions. I have no doubt that what the leader of the Opposition stated took place, but the Premier forgot some of the minor details; and I do not think he is very much to blame for that. What makes some hon. members on this side very indignant is that the supporters of the Premier—I refer more particularly to the Government whip, the hon. member for Wide Bay—went about practically threatening us—I mean this side of the House—during our stonewalling yesterday, upon one of the Government railway proposals, with the *clôture*.

Mr. LUMLEY HILL: He never threatened me.

Mr. MURPHY: He would not be likely to threaten anybody who has no judgment, but he said it to hon. members on this side, who have some judgment, and he did it, perhaps, with the intention of assisting his side to stifle our opposition to the Government, because he felt that our opposition was practically fatal to the Government scheme, and that he must win in the end. He might not have had his information from the Premier, but that he made the statement there is no doubt, and my assertion can be corroborated by more than one hon. member. I am very sorry, as I said before, that this matter has cropped up. It is a pity, now that we

are just going back to our constituents, that we should have had what almost amounts to a personal quarrel between the leader of the Opposition and the leader of the Government, and I can only express my deep regret that such a thing has happened. The hon. member for Cook, Mr. Lumley Hill, made some remarks just now which the leader of the Opposition is unable to reply to because he has already spoken. I think I can say something on behalf of my leader to show that whatever opinion the hon. member may have of the leader of the Opposition can have no weight at all with this House or the country. We all know the political career of the hon. member for Cook. We know that he has been sitting on all sides of the House. He sits there and he votes here. How many times, on occasions which were critical to the Government of which he calls himself a supporter, has he voted on this side of the House? He has voted with the Opposition more than once with the deliberate and expressed intention of turning the Government out of power. But to go a little further back in the hon. member's career, he at one time represented a Western constituency. He came out there with a friend, Mr. de Satgé, who was returned at that election to this House. He brought that gentleman out there, sat on the public platform with him, gave him advice, put sentences into his mouth, and encouraged him to utter statements in Blackall and other Western towns, and afterwards turned round upon his friend in this House for having made them.

Mr. LUMLEY HILL: I did nothing of the sort.

Mr. MURPHY: Could any more discreditable transaction be attributed to any man?

Mr. LUMLEY HILL said: Mr. Speaker,—I rise to a point of order or personal explanation.

Mr. MURPHY: What is the point of order?

Mr. LUMLEY HILL: The point of order is that the member for Barcoo is misrepresenting me. I never gave the gentleman he alluded to any advice or put any words into his mouth.

The SPEAKER: That is not a point of order.

Mr. LUMLEY HILL: It is a misrepresentation that I wish to correct. The only difficulty I had was to keep words out of the mouth of the gentleman referred to; I never put words into his mouth.

The SPEAKER: The hon. member can only make a personal explanation at the close of the speech of the hon. member for Barcoo.

Mr. MURPHY: It is a matter of history on the Barcoo, that Mr. de Satgé himself said he got the facts upon which he based his statement from the hon. member for Cook, Mr. Lumley Hill.

Mr. LUMLEY HILL: Tell us what were the statements.

Mr. MURPHY: I am not going into the whole history of the case, but I can give the statements. They were connected with the old steel rails business. The hon. member when he returned to the House turned his back on his friend. He told me himself immediately after the election that he had a rod in pickle for Mr. de Satgé. After having encouraged that gentleman to make the statements, and after having given him what he called facts, but which were utterly untrue, he came back here and applied a rod to his back. Mr. de Satgé subsequently, I believe, made an apology in this House for the statements he had made on a public platform, and said he was sorry to find that they were utterly false, but he got his information from the hon. member for Cook, Mr. Lumley Hill. The hon. member carefully misled his friend merely

for the purpose of keeping out of this House another man against whom he had a personal grudge.

Mr. LUMLEY HILL: No.

Mr. MURPHY: Then when we consider his subsequent career, we find that he sat first on one side, then on the other—sometimes changing his seat twice in one session. What is the opinion of that hon. member worth with regard to the truthfulness or not of the leader of the Opposition? It is not worth a fig; and I for my part do not consider his opinion upon any subject under the sun worth a fig.

The MINISTER FOR WORKS said: Mr. Speaker,—I do not propose to say anything in respect of what is a sort of duel going on between the hon. member for Barcoo and the hon. member for Cook. Apparently they are on this matter far apart, though in every other respect they are close together. I simply rose to remark upon some assertions made by the hon. member for Mackay, Mr. Black. He left the House a short time ago, and I have waited hoping that he would come back, but he does not appear to be in his seat, and I do not know where he is at present. The hon. gentleman must know very well that before any measure can be introduced into the House by the Government, the Premier would naturally have to submit it to his colleagues in Cabinet. That is the invariable practice, though some hon. members may not know it. If the Premier had intended under any circumstances seriously to consider the matter of introducing the *clôture* here, his colleagues would have been the first men to whom he would have submitted it. He must necessarily have done so.

The Hon. J. M. MACROSSAN: No.

The MINISTER FOR WORKS: I cannot conceive, at all events, that he would take any other course. This matter has been generally admitted as having been referred to during the obstruction which went on when the Redistribution Bill was going through committee. I heard several members say that we had better apply the gag they have in Sydney to a question of that kind; but then comes the question, Was it seriously considered? If it was not seriously considered nobody could be—or ought to be—seriously attacked for it; and the mere fact of the Premier having referred to the *clôture* as a desirable thing under the then existing condition of affairs in the House, and his having mentioned it to the hon. member for Stanley, the leader of the Opposition, and the hon. member for Mackay, as was stated by the hon. gentleman just now, was no ground for the conclusion to which hon. members had come. For hon. members to assume that if it had been really and seriously intended to introduce the *clôture* resolutions the Premier would make them his confidants is, I think, too absurd for any reasonable man to entertain for one moment. The bitterness and animosity of hon. members in this matter is very apparent. The hon. member for Mackay said he was ready to affirm that the Premier really did intend to introduce the *clôture* resolutions. What is the value of such an affirmation as that? Is that an affirmation that truthful men should listen to or believe in? Well, I must say that if the hon. member for Mackay uses the word "affirm" in that sense again, I shall discontinue to believe in his truthfulness.

Mr. BLACK said: Mr. Speaker,—Is the hon. gentleman to question my veracity in this way? I said nothing whatever to justify the hon. gentleman in using the language that he has. I again repeat that the Premier did tell me he contemplated the introduction of the *clôture*.

Mr. LUMLEY HILL: He was fooling you!

Mr. BLACK: He may have been, but I challenge the Premier to deny it, and what he told me corroborated the other information which he gave to the leader of the Opposition. Does the Minister for Works consider that everyone has sunk to the depth of degradation that he has—that he cannot be believed?

The MINISTER FOR WORKS said: Mr. Speaker,—I again assert, and the hon. gentleman may contradict me if he can, that the member for Mackay used those words. “I affirm,” said the member for Mackay, “that the Premier intended to introduce the *clôture*.” Even if the Premier had told him, is that sufficient to justify him in saying “I affirm that he intended to do that,” as if he knew the secret workings of any man’s mind?

Mr. DONALDSON: That is a legal quibble.

The MINISTER FOR WORKS: Let the hon. gentleman, if he uses the word “affirm,” use it in a proper sense, rather than as if he knew the inner workings of the Premier’s thoughts; and I say that he does not know the meaning of the word. If he pretends to understand what is passing through any man’s mind I shall discontinue to believe in his truthfulness, and I affirm that I am correct when I say that it was very evident indeed, at all events, that the leader of the Opposition desires to stir up strife, and is actuated by party and personal animosity in the interpretation that he wishes to put on the words that he said the Premier addressed to him, because I am quite satisfied that the Premier, at all events, did not tell him that he was going to introduce the resolutions, and that the Government had agreed upon any resolutions. He did not go the length of saying that, but his statement was that the Premier was sounding him as to whether he would be a party to it. But if he had sounded him, and he was willing to fall in with the Premier’s views, how much further was the Premier then? Not one step. Whether the hon. member agreed or did not it would have been very little consequence as to the determination of the question in this House.

Mr. NORTON said: Mr. Speaker,—I must express my regret that this very unpleasant discussion has arisen this evening. I do not intend to question the veracity of the hon. gentlemen concerned in the statements that have been made, but I think the public will be able to form an opinion without hon. members expressing theirs very distinctly. Sufficient has taken place to show whether the Premier in any way led members on this side of the House to believe that he intended to introduce the *clôture*. He did not speak to me, and I may say I never heard it mentioned until a day or two ago; but sufficient has fallen from the Premier to show whether he did intend to try and get the support of the hon. members to the *clôture* resolutions. Let the public judge by what has taken place. Now, I regret that the Minister for Works did not allow the matter to drop where it was before he got up. The unpleasant phase of the question had been departed from, and it was quite possible if it had been allowed to stop there no more unpleasantness would have arisen. It comes well from the Minister for Works to refer to the member for Mackay as he has done! He is so very cautious in his own statements, is he not? Is the hon. member for Mackay to be tied down to the exact words, and the scrupulous meaning which would be attached to those words? How would the Minister for Works be judged if he was tied down by rules like that, as I hope he will not be?

The MINISTER FOR WORKS: I am quite willing to be judged.

Mr. NORTON: I am not willing to judge the hon. gentleman always by his own words, but I give the hon. gentleman credit for being better at heart than his words would lead members at times to suppose. When the hon. gentleman gets up and makes those hot and fierce speeches, which he makes sometimes, when he uses those torrents of invective, which he often uses, how would he like to be judged by what fell from him then? Perhaps the hon. gentleman will give the hon. member for Mackay credit for a different interpretation of the words which he used, and no doubt the hon. gentleman himself would like to be treated in the same way. I do hope very little more will be said on this subject; it is not a very pleasant one, and there is only one good thing which, I think, can come out of it; that is that hon. members, having been put on their guard against a possible attempt to introduce the *clôture* into this House, they will be forewarned, and if even an attempt is made they will unite on both sides of the House and prevent any possibility of anything of the kind taking place. Freedom of speech is what we want; freedom, not license. I sometimes have forgotten myself, I admit, and gone towards the boundary which divides freedom from license; but I will try, and I hope every hon. member also will try, not to approach that border-line, which, I think, ought not to be passed. I can only say for my part, if any attempt is made to enforce what are called the *clôture* resolutions, which, by the way, are not in force in New South Wales, as has been said, I shall do my level best, and I hope every hon. member will do the same, to prevent anything of the kind being brought into force. Should the present Premier, or any other Premier, attempt to introduce any such measure, I do not think it will redound to his honour.

Mr. WHITE said: Mr. Speaker,—What is all this discussion about? Hon. members are only frittering away time. They have drawn their swords and are striking at the arms of a windmill. It is wonderful how hon. members opposite can vilify the Premier, and it is very undignified indeed.

Mr. BAILEY said: Mr. Speaker,—I should not have taken part in this debate had not the hon. member for Barcoo mentioned my name. I think I remember the occasion of which he speaks, though he has very much exaggerated what took place. I do not think the word “*clôture*” ever passed my lips, and the first time I saw it was when it was in print in the paper. I do not care to repeat conversations which took place outside the House, but I may say that what was said was said in a good-humoured way, as between friends, and I do not deem it my duty to bring matters of that kind in here.

Mr. ALAND said: Mr. Speaker,—That is rather a nonchalant manner in which the hon. member for Wide Bay has tried to get out of this. The hon. member for Barcoo repeated a conversation which the hon. member for Wide Bay had with me also, and with other hon. members, but with this difference that the word “*clôture*” was not mentioned. We look upon anything coming from the hon. member for Wide Bay as having some degree of authority. He is the recognised “whip” of the Government party, and is supposed, rightly or wrongly, to be somewhat in the confidence of the leader of that party. What did take place so far as myself and the hon. member for Aubigny are concerned, is this: When the railway resolutions were coming on before the House, the hon. member for Wide Bay asked me after they had been under discussion the first day, what was going to be done. I said “What is going to be done is this: These resolutions, if they get into

committee, will not be allowed to get out of committee." "Oh!" said the hon. member, "That's all nonsense." I said, "It is not nonsense, and you will find that to be the case." Then the hon. member said, "The Premier is going to allow you to debate the matter one night until the usual hour. He is going then to keep you there all night, and the next day he will adopt some method to bring you to your senses." Those are the words made use of to me, and what other interpretation can be put upon them? If the hon. member had not got up in that nonchalant way, and talked about breaking confidence—if he had just held his tongue on that point—I should not have risen to confirm the remarks of the hon. member for Barcoo. Before I sit down let me say that I regret very much what has taken place to-night. I do not attach very much importance to the Premier's remark to different members, "We shall have to adopt the clôture." But there is a great deal of difference in the version given by the Premier and that by the hon. member for Balonne about the paper being taken from the despatch-box.

Mr. MOREHEAD: I have told the truth.

Mr. ALAND: I very much regret that this misunderstanding should have taken place.

Mr. MOREHEAD: It is a great deal more than a misunderstanding.

Mr. HAMILTON said: Mr. Speaker,—The Minister for Works attempted to throw doubt upon the statements made by the hon. member for Mackay; but the hon. gentleman's own statements upon this matter do not come out very clear. The hon. gentleman attempted this evening to justify the Premier's statement that he never had any intention of introducing the clôture. How can we believe that the hon. gentleman did not hear of such an outrageous proposal by his colleagues when many other members of his party admit having heard of it? The evidence adduced in support of the Premier's denial is not satisfactory. My colleague, the hon. member for Cook, attempts to produce negative evidence, and refers to dreams, and says the leader of the Opposition must have dreamt of this. That has been my colleague's case on more than one occasion. I recollect well that he made a serious charge of the grossest character against a gentleman who resided in Townsville, and who is since dead. The hon. member stated that he had seen that gentleman loafing about drunk in the streets of Townsville, and it was subsequently proved that that gentleman was hundreds of miles away from Townsville at the time, and for some months after the hon. member for Cook's departure from it. Why, the very first gentleman who attacked the character or the veracity of the Premier in this House was the hon. member for Cook, Mr. Hill. I recollect some years ago, when referring to certain statements made by the Premier, that gentleman applied this well-known quotation to him:—

"And the parson made out his text that week, and said likewise
That the lie which is half a truth is ever the blackest of lies;
For a lie which is all a lie may be met and fought with outright,
But a lie which is part a truth is a harder matter to fight."

The hon. member drove that home to the Premier, whose character he is now trying to defend. It is extremely unfortunate for the Premier that the present occurrence should follow so closely upon the letter which he wrote, and which proved him to be what the leader of the Opposition charged him with being. The hon. gentleman would possibly have denied the existence of that letter if it had not been produced, as he has before denied the existence of documents which were subsequently produced.

Though it is the profession of the Premier to get people out of trouble, he is not able to get himself out of trouble in this case though he has used all his efforts to do so. The hon. gentleman charged the *Observer* with having stated a deliberate lie, but what the *Observer* stated really was, "It is believed that the Premier intends applying the clôture." If, under the circumstances, the Premier was justified in charging it with a deliberate lie, he was justified in making a similar charge against the hon. member for North Brisbane, Mr. Brookes, who made a similar statement several hours before the publication of the *Evening Observer*. The hon. gentleman stated there was no foundation for the statement, but it has been abundantly proved this evening that there was foundation for it, both according to his own version of the affair, and the versions given by hon. members opposite, who said they were led to believe, by the Government whip, that it was intended to apply the clôture. The hon. member for Stanley has told the House that the Premier said the same thing to him, but that he did not believe the Premier was telling the truth when he said it. When the Premier on insufficient evidence makes such a charge against the *Observer*, it is not likely that he will go back now and admit what has been stated by the leader of the Opposition. The leader of the Opposition states that when sitting near the Premier the hon. gentleman took a paper out of his box and showed it to him.

Mr. MOREHEAD: Yes; I saw it and handled it, and I saw it in print.

Mr. HAMILTON: The Premier says that it was only a blank piece of paper which the leader of the Opposition saw, but that is much too thin. What possible object could the Premier have in handing the leader of the Opposition a blank piece of paper? If he had only time, he would have made a better defence than that, but he was thoroughly cornered so quickly that he had not time to think of a better defence. It is said that no doctor should ever attend to himself, and it is also stated that "the man who has himself for his lawyer has a fool for his client," and I think the present action of the Premier justifies that old adage. It is easy to see why the Premier admits that he did hand a piece of paper to the leader of the Opposition, because he knows that while members on this side of the House may not have been able to see what was on the paper, it is quite possible some of them saw him handing a piece of paper to the hon. gentleman. But that admission is fatal to his veracity, and proves the statement of the leader of the Opposition. What earthly reason could the leader of the Opposition have had—before anything of the kind was known to be in contemplation—after having had that conversation with the Premier, in coming over and consulting with his old friend and colleague, Mr. Macrossan, telling him he had seen the paper, and narrating the conversation which passed, if it was not true? The Premier has not even suggested that the leader of the Opposition proposed the clôture. He has referred to the code of honour which exists among gentlemen, and tried to make capital out of it. But his confidence was forced upon the leader of the Opposition. What right had he to force it upon him, or to fancy that the leader of the Opposition was in accord with him in that particular instance? It is not a question of breach of confidence, but of who is telling the truth. The leader of the Opposition heard an individual attacked, and his veracity impugned by the Premier, and he was bound in honour to get up and champion the cause of the

person whom he considered improperly condemned. This, as we all know, is not the first occasion on which the Premier has been in a similar position in this House. We know that time after time his veracity has been challenged by members of the House. We know very well that when he has been cornered, when evidence has been sheeted home to him, that all he has to say is that his memory is a blank. When anything appears in the Press that he does not like, what is his general reply? That he has been misreported. When irrefutable evidence is produced to show that he has not been misreported, what does he invariably say? That his memory is a blank. In fact, it is so frequent an answer that it is often anticipated with jeers by members of the House. I notice that some hon. members on the other side, when irrefutable evidence was forthcoming that the Premier had made a statement that he intended to apply the *clôture*, replied that they did not believe he intended it. They think they are defending the Premier, but what they say simply amounts to this: that they believe he was lying when he made that statement. It would have been far better if the Premier had said nothing about it. The result of this discussion has proved what old members have been aware of for many years. The Premier said there were some members of the House whom he would not condescend to speak to. That is one of those ludicrous imperialistic notions which the hon. gentleman has brought back with him from the old country. The first working man I meet in the street, whom I know to be honest, true-hearted, and truth-telling, I would far sooner shake hands and fraternise with than I would with the Premier. I should consider it no condescension to shake hands with such a man, but I should consider it a condescension to shake hands with the Premier. I should consider myself more highly honoured by shaking hands with any working man of that description than with a clever lawyer, who throws his friends aside when he has done with them, like a sucked orange, and whose word cannot be relied upon.

Mr. ADAMS said: Mr. Speaker,—It is not my intention to occupy the House for any length of time, but I should like to say a word or two before this debate comes to an end. I have been here two sessions, and this is the first time I ever heard such strong language used. I consider it most humiliating, and that the humiliation has been brought about by the Premier himself. The Premier has distinctly stated that he has told more than one hon. member on the other side that it was his intention to introduce the *clôture* if he could not get on with his Redistribution Bill without it, and the moment it was brought to light in this Chamber, he stigmatised it as a most deliberate lie. That is very strong language, coming from the leader of the House, and when the hon. gentleman uses strong language like that he must expect that there will be retaliation somewhere; and the leader of the Opposition has done nothing but his duty in taking up the challenge, and showing to the House and the country what was intended to be done. If the Premier had said yesterday, when this matter was brought to light, "It was my intention, if the stonewalling was carried on for any lengthy period, to try to put a stop to it by introducing the *clôture*," we should have acknowledged that the thing was debatable. But what has transpired to-night proves what I have often said before, that no more legislation should be carried on during the present session; and now that the Redistribution Bill is passed, we ought to pass the Estimates and go to the country. No more legislative work can be done after the discussion that has taken place to-night. There was one

thing about the junior member for Cook that got my admiration. I always look across at that hon. member when he is speaking, and I notice that he is constantly casting his eyes up to the ladies' gallery. I do not know whether he is a ladies' man or not, but I can tell the House what a lady said to me, who happened to be in the gallery and heard the hon. member speak. She said, "Who can that gentleman be?"—describing the junior member for Cook—"Does anyone in the House really believe him?" I said, "Well, the only thing we say about him is that he is a political scavenger, and that very little notice is taken of what he says." What that hon. member may have been in the past I do not know, but since I have been in the House he has proved himself to be neither more nor less than a political scavenger.

Mr. ISAMBERT said: Mr. Speaker,—I can scarcely bring myself to believe that hon. gentlemen on the other side are really serious. I look at what has taken place more as a storm in a teapot. That the idea of applying the *clôture* passed through the Premier's mind I am aware, because he mentioned it to the hon. member for Stanley and myself in the passage. It was a very natural thing when seven members were stonewalling a measure which the whole House was in favour of, that such an idea should pass through the hon. gentleman's mind. But an idea passing through the mind and carrying it out are two very different things. And I would not be at all astonished if the idea had been reduced to draft resolutions. The Chief Secretary has a passion for drafting Bills and resolutions. I have seen him often, when members bring in amendments in his own measures, drafting and altering those amendments, simply that they may be reduced to proper language. If all the hon. the leader of the Opposition says was to be taken seriously there would be no end of trouble. No later than yesterday he said that I should be hanged; that I was a Socialist, and it was dangerous for me to be here. But I did not attach the slightest seriousness to it. I took it as a joke. I thought if that was to be the case that he had better be my predecessor and show me how to do it. It is not consistent with the dignity of hon. members to treat the matter so seriously.

The Hon. J. M. MACROSSAN, in reply, said: Mr. Speaker,—I am perfectly satisfied with the result of this motion for adjournment. My object has been attained; that is, that the source from which the *clôture* emanated has been discovered—the Premier. Now, sir, I was not willing to lie under the imputation, slight as it was, which the hon. member, Mr. Macfarlane, threw into his speech, because I had mentioned that the *clôture* was rumoured yesterday morning. I was not going to lie under the imputation of being the deliberate liar which the hon. the leader of the Government said the person must have been who invented that rumour. And, sir, I was not aware until to-night that the leader of the Government had mentioned the fact of his intention of introducing the *clôture* to anyone but the leader of the Opposition, whose statement to me was quite apart from any ulterior consequences or reservations or explanations of any kind. The hon. gentleman came straight across the floor of the House and told me what he had seen, and the conversation that had passed between him and the Premier. I did not know, Mr. Speaker, that the Premier had also related similar stories to the hon. member for Mackay, the hon. member for Stanley, and several other hon. members. Nor did I know that the Government whip—I was going to say whipper of the sheep—I was not aware that the hon. member for Wide Bay, Mr. Bailey, had made

the statement which the hon. member for Toowoomba has verified. I would ask, then, can any one in this House, after hearing all that has passed to-night, imagine for one moment that the indignation the Premier seemed to feel yesterday evening was not assumed? Can it be imagined that, having told so many people of his intention, and his own whip having gone round throwing out innuendoes, which people could only have applied to the *clôture*, it emanated from any other source than himself? Yet he comes down to this House, and accuses some person or party of being a deliberate liar; assumes the indignant innocent who could not for one single moment be suspected of ever doing anything so awfully wrong as introducing the iron hand. I would have had some respect for the hon. gentleman if, after the statement made by the leader of the Opposition to-night, which came upon him as it did, with surprising effect, he had stood up and said that what the hon. member had stated was true; if he had said, "Yes, I did intend to introduce the *clôture* had the members for West Moreton continued to obstruct the Redistribution Bill, and if I had been supported by the House in so doing. I looked upon the Bill as so important that, sooner than lose it, I would have done what I would not like doing." Had he said that, people would have respected him. What can they think of him now, after making the lame explanation, the legal explanation he did, and appealing to the code of honour?

The PREMIER: Hear, hear!

The HON. J. M. MACROSSAN: I am certain that every hon. member in this House follows that code to the letter quite as much as he does. But that code of honour does not apply and has nothing to do with the conduct of business in this House. It is not at all necessary for the conduct of business that the leader of the Government should consult with the leader of the Opposition upon anything that he is going to bring forward. But why did he consult with him then?

The PREMIER: I did not consult with him.

The HON. J. M. MACROSSAN: Because it was a special matter—a matter which he could not expect to carry through to a successful conclusion without the consent and approval and assistance of the leader of the Opposition, and of the party which he leads. The hon. gentleman at the head of the Works Office, in his simplicity—because I believe he is both simple and honest—says, "Is it likely that the leader of the Government would consult the leader of the Opposition before he had consulted with his colleagues?" What has given rise to the expression of the "One-man Government"? Is it not the very practice the leader of the Government has of not consulting his colleagues in matters in which ordinarily every Premier should consult them? I believe his colleagues are generally the last to hear what he is going to do. Certainly in a case of this kind there was no need for him to consult his colleagues, because a potent factor in the carrying of the *clôture* in this House would have been the support of the party sitting on these seats. The hon. gentleman also spoke as if the *clôture* business was something in the nature of a Bill, which would have to be approved of by the Cabinet before it was brought down to this House. It is not so. It is simply a resolution which the leader of the Government could put upon the table without consulting his colleagues at all; and as long as he was sure of the assistance of this side of the House, and of certain members on his own side, it could have been done very easily. Now, I am perfectly satisfied that every member of this House—no matter what excuses may be made for the Premier—I am sorry he made the

excuses for himself that he did—I am perfectly certain that that statement is believed, and that it will be believed by the country. I am not at all surprised at the hon. gentleman having *clôture* notions. He seems, unfortunately for himself, I think, to have imbibed very exalted notions during the last journey he made home. Where does the *clôture* come from? It is entirely un-British, it is entirely un-English; but he has adopted the party in power in Great Britain as the party he wishes to imitate in all his actions. He has brought back the idea of fair-trade from them; he does not like to call it protection—protection is a naughty word; he calls it fair-trade because the Conservative party call it fair-trade. The *clôture* resolutions, which have stopped freedom of debate in the House of Commons, to a great extent, are also the work of the party he admires and imitates.

Mr. LUMLEY HILL: The Irish party.

The HON. J. M. MACROSSAN: There is very little of the Irish party spirit, or of the Irishman, in the hon. member who has just interjected. Speaking of the Irish party brings to my recollection that the Premier himself approves of coercion for Ireland and the Irish party—another item of the imperialistic Conservatism he has brought back with him, which, if he had been wise, he would have kept in his own breast.

Mr. MOREHEAD: It would have spoilt his chance of a G.C.M.G.

The HON. J. M. MACROSSAN: If they would make him a baronet and take him away I would not object. That has been rumoured also. My object has been attained. The party that sits on this side of the House and myself had nothing to do with the rumours of the *clôture*. We heard them and we had to believe them, because we knew—at least I knew and the leader of the Opposition knew—that the Government intended to apply the *clôture* to the West Moreton debate. I therefore believed that the hon. member was mad enough to attempt it, though I knew he would never possibly carry it. Other members of the House on the other side heard the same thing, and heard it from their own whip; and what possible conclusion could members come to but the conclusion the *Observer* came to yesterday evening—that it was the intention of the Government to introduce the *clôture*? I would have imagined that the hon. gentleman, in the position he occupies, knowing how often he had spoken to members about it, would have been wise enough to hold his tongue, and take no notice whatever of the paragraph that appeared in the *Observer*. It would have been better for himself and better for the general peace and conduct of business of this House. I withdraw the motion.

Motion, by leave, withdrawn.

MOTION FOR ADJOURNMENT.

CHARGES AGAINST EX-MINISTERS.

Mr. MOREHEAD said: Mr. Speaker,—I am now going to move the adjournment of the House. I am sorry I do not see the hon. the Minister for Works in his place. This is a matter which I intended to have brought before the House very much earlier, but, of course, exceptional circumstances have thrown it as late as just now. I wish to call the attention of the House to certain remarks made by the hon. Minister for Works last night, referring to the late Premier of this colony, and one of his colleagues, the late Minister for Lands—that is, Sir Thomas McIlwraith and Mr. Perkins. The statement made by the hon. Minister for Works was this:—

"Mr. Dutton then referred to a Lands Office transaction in which an applicant for a selection, named Collins, from Bowen, whose application was refused

by Mr. Perkins, went to Sir Thomas McLlwraith and got a peremptory order that his wishes should be carried out, and Mr. Perkins complied with it. No member of the present Government would have done it. They would have thrown the document back and refused to comply with it. They were not so controlled by the Premier, though they gave proper weight to his undoubted talents. He was surprised that Mr. Perkins had attached the document to the papers, and allowed his successor to see how he had been treated."

That, sir, is not, I admit, recorded in the official *Hansard*, and that may give the hon. Minister for Works the opportunity of denying that he used those words.

Mr. McMASTER: Mr. Speaker,—I rise to a point of order. Last session I was speaking in this House on the subject of a debate that took place the night before.

Mr. MOREHEAD: What is the point of order?

Mr. McMASTER: The point of order is that the leader of the Opposition is referring to a debate that took place last night.

Mr. NORTON: He is quite right in referring to it.

Mr. McMASTER: Last session I was debarred—

Mr. MOREHEAD: What is the point of order?

Mr. McMASTER: That the hon. member is speaking on a debate that took place last night.

The SPEAKER: I did not understand that the hon. member was referring to a debate that took place last night.

Mr. MOREHEAD: Then, Mr. Speaker, I am not referring to a debate that took place last night. I am referring to certain words—

Mr. McMASTER: The hon. member said he was going to speak on certain remarks made by the Minister for Works last night. If the Standing Order is good for a young member like me, it ought to be good for the leader of the Opposition.

The SPEAKER: The Standing Order relating to the matter is the one I quoted before when the hon. member for Townsville was speaking. It is very clear:—

"No member shall allude to any debate of the same session, upon a question or Bill not being then under discussion, except by the indulgence of the House for personal explanations."

The hon. member for Townsville, Mr. Macrossan, put himself in order by declining to allude to any debate, and speaking in general terms; and if the hon. member for Balonne wishes to refer to the matter, I would strongly counsel him to take the same course.

Mr. MOREHEAD: Mr. Speaker,—I am not dealing with any debate that took place in this House, so far as the hon. member can take exception to it. Do not let the hon. and eloquent member for Fortitude Valley think he has caught me napping. If he can show me anything in *Hansard* with respect to this question—and that is the only official record we recognise so far as debatable matter is concerned—then I will at once admit he is right.

Mr. McMASTER: You will see it to-morrow.

Mr. MOREHEAD: I will not see it to-morrow. I am quoting from the *Courier*. The hon. member is altogether too knowing. There are times in the history even of this House, Mr. Speaker, when, as you know, the reporters cease to record the valuable utterances of hon. members. I believe that if even the hon. member for Fortitude Valley were to get up after a certain hour, when stonewalling tactics were on, and make one of those eloquent speeches for which he is so celebrated, when possibly he would proceed to describe that magnificent race, the Scotch, from

which he has descended—though I am afraid he is not helping to keep the reputation up to the advertisement by himself—even if he made a speech of that sort after a certain hour it would not be reported. Nor is the speech I am now quoting from recorded in *Hansard*, therefore it is not a record of the House, and therefore I am not alluding to any debate of which this House has any cognisance. However, those words are said to have been made use of.

Mr. McMASTER: In the House?

Mr. MOREHEAD: The hon. member need not interrupt me. I have not the stentorian lungs nor the brazen impudence of the hon. member who interrupts me.

Mr. W. BROOKES said: Mr. Speaker,—I rise to a point of order.

Mr. MOREHEAD: I admit at once that I should not have used the expression.

Mr. W. BROOKES: Is the term parliamentary, Mr. Speaker?

Mr. MOREHEAD: Mr. Speaker, I should like to ask the hon. member which particular word he takes exception to—the word "brazen" or the word "impudence," or the two combined?

Mr. W. BROOKES: I do not mind.

Mr. MOREHEAD: Then why do you raise a point of order?

The SPEAKER: I think the expression "brazen impudence," as applied to an hon. member of this House, is scarcely parliamentary.

Mr. MOREHEAD said: Mr. Speaker,—I will withdraw unreservedly the words I used. I am afraid that in order to convey my opinion of hon. members opposite, not including the hon. junior member for North Brisbane, who is so gentle in everything he says, and in fact appeals to Charles Dickens when he wants to say anything peculiarly offensive, I shall have to get a new dictionary constructed, because, if good expressive English is to be barred, I really do not know what language to employ, unless it is Chinese. The Minister for Lands was not in his place when I addressed the House, and therefore I will read what the *Courier* records as having been uttered by that hon. gentleman. It may be right or wrong; I admit at once it is not a record of the House:—

"Mr. Dutton then referred to a Lands Office transaction in which an applicant for a selection named Collins, from Bowen, whose application was refused by Mr. Perkins, went to Sir Thomas McLlwraith and got a peremptory order that his wishes should be carried out, and Mr. Perkins complied with it. No member of the present Government would have done it. They would have thrown the document back and refused to comply with it. They were not so controlled by the Premier, though they gave proper weight to his undoubted talents. He was surprised that Mr. Perkins had attached the document to the papers, and allowed his successor to see how he had been treated."

I have seen both Sir Thomas McLlwraith and Mr. Perkins in regard to this matter, and they take up the position that they are quite willing that any document discovered by the Minister for Works in his detective progress through the Lands Office shall be disclosed to this House. They want to have no secrecy. If the hon. gentleman has discovered something that was improper or dishonest on the part of his predecessors, let it be brought before this House. Let the amateur detective receive credit for what he has done. If he can prove that the late Government, or two members of it, have been in collusion to commit a crime against the law, let it be shown on the table of the House.

The MINISTER FOR WORKS: Let the hon. member move for the papers.

Mr. MOREHEAD: The hon. member asks me to move for the papers. I will move for no papers, but I will challenge the Minister for Works to lay those papers on the table.

The PREMIER: They shall be laid upon the table.

Mr. MOREHEAD: And if the charge is substantiated let those who are culpable be blamed for it. I do not think it is a fair thing for the Minister for Works to go foraging about the pigeon-holes like an ill-conditioned cockroach.

Mr. W. BROOKES: Mr. Speaker,—Are the words “ill-conditioned cockroach” parliamentary?

The SPEAKER: I must ask the hon. member to withdraw the words.

Mr. MOREHEAD: There are times when I would defend the language I have used—

Mr. W. BROOKES: Is it in order for the hon. member to defend himself after what you have said, Mr. Speaker?

The SPEAKER: The hon. member is not defending his language.

Mr. MOREHEAD: I will defend the language I have made use of. Neither the word “ill-conditioned” nor the word “cockroach” is unparliamentary.

The SPEAKER: It is distinctly laid down in “May,” page 373, that—

“The imputation of bad motives, or motives different from those acknowledged, misrepresenting the language of another, or accusing him in his turn of misrepresentation; charging him with falsehood or deceit; or contemptuous or insulting language of any kind—all these are unparliamentary, and call for prompt interference.” I think calling a member “an ill-conditioned cockroach” is certainly unparliamentary.

Mr. MOREHEAD said: Mr. Speaker,—I have no desire to break the rules of this House, and if I do so I shall apologise. But I say that I have a perfect right to draw a comparison between the conduct of the Minister for Works and that of the insect that I chose to compare him to. I may have to apologise to the insect, I admit; but if the hon. the Minister for Works takes no exception to it, why should the hon. member for North Brisbane, who put in his spare time last night in making one of the most abusive speeches in regard to the ex-Colonial Treasurer that ever was made in this House, and one which no one took exception to—why should he get up and abuse those whom he does not like? I believe he is one of those who are working at the back of the Ministry to destroy them. He gets up and tries to defend the Minister for Works; but I believe it is only an assumption. The Minister for Works is very well able to defend himself. I am comparing the conduct of the Minister for Works in foraging about the pigeon-holes of the Lands Office to that of an ill-conditioned cockroach.

Mr. LUMLEY HILL said: Mr. Speaker,—I rise to a point of order. I would like to have your strict ruling on this subject as to whether these comparisons are permissible, because I want to be able to guide myself in my future parliamentary conduct. I want to know how far I can go in instituting comparisons.

Mr. MOREHEAD said: Mr. Speaker,—I think the hon. member is not in order in asking you to give your ruling upon an hypothetical question. I consider the conduct of the Minister for Works in foraging round the pigeon-holes of the Lands Office has been that of an ill-conditioned cockroach.

Mr. LUMLEY HILL said: Mr. Speaker,—I have to respectfully ask that you will answer my question—that is, if the hon. member for Balonne is in order?

Mr. MOREHEAD: I am in possession of the floor, Mr. Speaker, and I trust you will maintain the respect due to the Chair. I consider the conduct of the Minister for Works in foraging around the pigeon-holes of the Lands Office has been that of an ill-conditioned cockroach.

Mr. NORTON said: Mr. Speaker,—I understood the hon. member to say, not that the Minister for Works was an ill-conditioned cockroach, but that he was searching the pigeon-holes like an ill-conditioned cockroach. I take that to be a searching and careful investigation. That is one way in which the matter may be regarded.

The SPEAKER: I think the hon. member—

Mr. HAMILTON: I should like to say a few words on the matter before you give your ruling, Mr. Speaker.

HONOURABLE MEMBERS: Chair! Chair!

Mr. HAMILTON: The hon. member did not call the Minister for Works an ill-conditioned cockroach, but simply likened him to an ill-conditioned cockroach. I believe, sir, you have ruled that a member is not out of order, provided he does not impute bad motives or use insulting language towards another member; and if it can be proved that the motives of the cockroach are not bad in ransacking places, but that its motives are perfectly correct, it is evident that the hon. member was not out of order in comparing the Minister for Works to that insect.

HONOURABLE MEMBERS: Chair! Chair!

The SPEAKER: The hon. member for Cook, Mr. Hamilton, must restrain himself while the Chair is giving its ruling. According to the 91st Standing Order, no member shall use offensive or unbecoming words in reference to any member of the House, and I must say that to charge the Minister for Works, as the hon. member for Balonne has done, with searching pigeon-holes like an ill-conditioned cockroach, is to all intents and purposes unparliamentary.

Mr. MOREHEAD said: Mr. Speaker,—

HONOURABLE MEMBERS: Chair! Chair!

The PREMIER: Let the Speaker finish. The Speaker has not finished.

HONOURABLE MEMBERS: Chair! Chair!

The SPEAKER: I was going to say that I am sure I have only to draw the attention of the hon. member for Balonne to the 91st Standing Order, and he will be the first to obey its injunction.

Mr. MOREHEAD said: Mr. Speaker,—I at once withdraw the remarks you have ruled unparliamentary. I did not know that you had not finished giving your ruling before; and when I rose it was for the purpose of withdrawing the words, but I was prevented from doing so by the blatant roaring of the Premier and his supporters. I am quite content to accept your ruling, which I have no doubt is correct. Of course I have had to submit to the exasperating interruptions of the junior member for Cook, whom I am prepared to meet when I have an opportunity of answering him, either in the House or outside it, and there is no man in the House who is held in less esteem or greater contempt than that hon. member. I care nothing for him either publicly or privately; I would not take his word for a shilling, and I am perfectly certain that hon. members on that side of the House would be glad to get rid of him. I am going to deal now with what the Minister for Works said last night in respect to papers he has in his possession, obtained in some way by which no honourable man would obtain documents. If they are there, as stated by the Minister for Works, they must be, to a

certain extent, of a private nature, and should be so regarded by that hon. gentleman. However, I am in a position to say that the two gentlemen primarily interested in these documents, if they do exist, are only too anxious that they should be put on the table of this House. Let it be done, and do not let the Minister for Works carry any more cards up his sleeve. If he has any more let him produce them. If he has any charges to bring against the late Government, either individually or collectively, let him make them and let us be done with them. I have, advisedly, after a conversation with Sir Thomas McLlwraith and Mr. Perkins, asked the Minister for Works to bring forward those documents. There is no necessity for me to move that they should be produced. They can be put on the table at any moment if they exist. That is all I have to say, and I would have said it much more quickly, but unfortunately I had to describe the conduct of the Minister for Works by a comparison in a way which appears to be considered, and possibly is, unparliamentary. I move the adjournment of the House.

Mr. WHITE said : Mr. Speaker,—We have heard a great deal about the one-man Government. Now, that disclosure that the leader of the Opposition is making all the booby-show about is in keeping with the late one-man Government. We have heard so much about the one-man Government that I am disgusted with it, because it is an attempt to make this Government appear as bad as the last one. What did the late Government say in public not so very long ago? It said that when a man had a distinct and decided opinion of his own he was justified in forcing it upon the people which he ruled for the time being. Those were the words used by the late Government. An attempt has been made to foist upon this House a dozen times within the last two days the opinions of that one-man Government, and it is now attempted to make this a one-man Government, as bad as the last, which they cannot possibly do. I am disgusted in listening to it.

The HON. J. M. MACROSSAN said : Mr. Speaker,—I would like to have the assurance of either the Premier or the Minister for Lands that these papers which have been spoken of will be produced. I feel interested in those papers. I have never seen them.

The PREMIER : I have not seen them.

The HON. J. M. MACROSSAN : I am sure the gentlemen themselves will feel interested in them, and I think they should be laid on the table of the House and printed if necessary.

The PREMIER : I should like to see them very much.

The HON. J. M. MACROSSAN : I have no doubt the hon. gentleman would like to see them.

The PREMIER : I believe there are plenty more of the same kind.

The HON. J. M. MACROSSAN : I recollect that during the last year of the term of office of the late Government it was said a great many times in this House that great secrets would be discovered in the pigeon-holes—that when the Government were turned out the works they had done would be found out. I challenged those gentlemen the very first year of their term of office to find out anything they possibly could, and whatever they found to make public. This is the first attempt that has been made to answer that challenge, and I hope it will be carried out, and that the papers will be laid on the table of the House and printed. The whole of the papers relating to that

application for a selection, or whatever it was, and not a solitary paper, should be given to the House. It will not do to have simply a statement of any one particular act ; we must have the whole act from beginning to end, and then we shall be able to form our own judgment upon the matter. We shall be able to see whether the imputation made by the Minister for Works is a correct one or not. I have not the slightest doubt that the hon. gentleman believes it to be correct ; but, at the same time, we know that we are all likely to be mistaken in our opinion concerning our friends on the other side. We are all very apt, on both sides, not to confess our own sins, but to confess the sins of others. It is a very pleasant operation, very sweet to human nature, to confess the sins of others, and not to confess the sins the luxury of which we indulge in by our own superior virtue. I hope that before the motion for adjournment is carried the Minister for Lands will make a promise to lay these papers on the table of the House.

The MINISTER FOR LANDS said : Mr. Speaker,—I am not aware of the existence of any such papers as those referred to ; but there can be no objection to producing them if they do exist, as I have no doubt they do from what my hon. colleague has said. They will be produced and laid on the table of the House.

The MINISTER FOR WORKS said : Mr. Speaker,—I will just explain how the papers came to my knowledge. The man who had been done out of his selection came to me and asked me if I could redress the wrong he had suffered. I told him that I could not give him an answer until I had seen the papers. I got the papers turned up, and strangely enough attached to the rest was that document to which I referred. The Minister for Lands refused to grant the application, but when he got a note from his chief he carried out his directions and granted Collins's application, but rejected the other man's, or a portion of it.

Mr. NELSON : When did you discover this?

The MINISTER FOR WORKS : About three years ago. Shortly after I got into office the man came to me to get his wrong redressed, and it was on his representation that I had the whole matter turned up.

Mr. MOREHEAD : That was three years ago?

The MINISTER FOR WORKS : I will not say positively that it was three years ago, but it was shortly after I came into office.

Mr. LUMLEY HILL said : Mr. Speaker,—I think it is a very good thing for the public that such a safeguard should exist as that a succeeding Ministry can ransack the pigeon-holes of the departments and ascertain what has taken place before they came into power, and I hope that whoever may be the next Ministry will ransack the pigeon-holes of their predecessors as effectually, or more effectually than has been done by the present Government. I myself saw some very curious documents turned out of the pigeon-holes in the Works Office. There is no doubt that a great deal of very unpleasant suspicion has been thrown upon the public mind from the revelations which have come out of the Works Office since the late Ministry left it. I am anxious to see the government of the country carried on with a decent amount of honesty and a reasonable amount of ability. I do not wish to see any Ministry favouring their friends or oppressing and harassing their enemies. I do not wish to see the people of this country robbed by the party who are in power, or injured in any way, or defrauded of their legitimate rights. I do not wish to see such things occur

as are shown by the papers that I called for in regard to land at Bundaberg; I consider this is a suitable occasion to refer to them. In calling for the papers—in which I may have been imitating the example of the cockroach—referring to the sale of certain lands, and the resumption of a copper refinery at Bundaberg, I found that the land had been resumed and paid for handsomely by the Government, and the name of the person who received the money was given as Mr. J. C. Smyth. I fancy we all ought to know pretty well who he is. I do not blame the Railway Arbitrator for the amount awarded in that instance, as the railway was to form a terminus in the yard of the refinery, on the refinery itself. Of course he had to value it as it stood. At that time it was an abandoned institution, incapable of being turned to profitable account, and therefore it was sold to the Queensland Government—as if there was no other place in the shade of Mount Perry where they could have made a railway station. The same thing obtained with regard to the court-house. A site was wanted for a court-house, and this was sold by Mr. Smyth to the then Ministry for a very handsome sum. I have no hesitation in saying that the whole of the Bundaberg to Mount Perry Railway business was an infamous political job; it was projected at a time when the mine had proved a failure, and the lands owned by members of the then Government were sold to the State at an absurd price.

Mr. MURPHY: Tell us about O'Rourke and McSharry.

Mr. LUMLEY HILL: Well, these are some of the interesting papers that will turn up as claims again during the next Parliament. A claim for £96,000 has been temporarily settled for about £5,000, and it will be a bad day for the people of this country when those claims are raked up again by the member for Townsville and his friends, if they come into power.

Mr. MURPHY: You will never get in again.

Mr. LUMLEY HILL: That is not altogether certain. It is not by any means certain that I shall not. It is a matter of tolerable indifference to me, but it will be a very good thing for the electors if they have someone who will not shrink from looking after the way in which the money goes. It is a disagreeable duty, and one I do not delight in, but as I represent the people I must see how the money is spent and devoted, and see whether it goes actually and directly into the pockets of professional politicians, who profess in very eloquent terms to represent the best interests of the people, while they are engaged in feathering their own nests. I do not wish to take up any more time, but I shall look with anxiety to see these papers which the Ministers for Works and Lands have promised us. I have no doubt that they will be interesting reading.

Mr. NORTON said: Mr. Speaker,—I do not often refer to remarks made by the junior member for Cook, Mr. Hill, but I think it would be well, just for once in a way, to refer to them. The hon. gentleman—the hon. member, I should say—has very frequently in this House made charges against members of the late Ministry—charges amounting to corruption. The hon. member spoke of having lost faith in public men—I presume he calls himself a public man. He spoke also of their having dreams, and of their being indifferent in respect of things which other people would not be indifferent about. I remember—I presume it must have been a dream that the junior member for Cook once had, in which he thought that his usual place of residence in Queensland was at a station hundreds of miles from here. I think he dreamed that that was why he was entitled to fourteen guineas a week,

whilst he stated in his place in this House that, when in Queensland, his usual place of residence was the Queensland Club. Now, I refer to these things because the hon. member has always got honesty in his mouth and truthfulness on his lips, and is always telling us what a model of virtue he is. Well, I will not refer any more to the hon. member; but I will say this, that in my intercourse with other human beings outside of Parliament, I have invariably found that the man who is always professing honesty is a rogue; and I have always found that the man who most frequently talks of his truthfulness is an arrant liar. I should be very sorry to make any statement that would look like a breach of the Standing Orders of the House, and I let hon. members draw their own conclusions from what I have said. They can do as they like about that.

Mr. HAMILTON said: Mr. Speaker,—During the last general election my colleague made great capital out of the various secrets which he said he had obtained in the different pigeon-holes in the Government offices, and he stated that he was going to do great damage to the late Government. After repeated attempts, he failed to do that. He had repeatedly slandered them; he is noted for his slanders and for his innuendoes; but he has never brought a single charge home to anyone. He appears to take a pleasure in damning individuals. I recollect up in the Cook district an occasion when he was slandering a friend to me whose hospitality he had accepted; and when he returned to Brisbane he denied that slander, and accepted that gentleman's hospitality again; and again falling out with him he slandered him a third time, until a friend of that gentleman offered to kick him out of the house if he made any more imputations. We all know that he has not the courage to speak out so that notice may be taken of what he says. He shelters himself under the Speaker's wing, and behind the backs of the people he slanders. We all remember that the only libel action which the *Observer* had to pay for was an action brought about through the insertion of a letter written by that hon. gentleman, he being a director at the time, and having the power to insert it. It was a letter slandering a leader on the other side of the House, and the *Observer* had to pay costs. Now, the hon. gentleman has referred to the Hon. J. C. Smyth having received money from the Queensland Government. The facts are that the Government wished to take a certain piece of land at Mount Perry for a railway station, which belonged to a company of which Mr. Smyth was a member. They objected to it being taken, and Mr. Macpherson, the Railway Arbitrator, valued the land at a certain amount, and that amount was paid. I do not think there is anyone in this House who would question the honour of the late Railway Arbitrator. Do we not recollect also that the hon. member accused the firm of Little and Browne—whose very name was a household word for honesty—do we not remember that he accused them of dishonesty? He accused Mr. Little, whose hospitality he had received, and in whose house he had lived for months. Directly he fell out with him he accused him of dishonesty, and mentioned the name of his own solicitor, Mr. Bunton, as his authority for the statements he made. Do we not recollect also that on the following day a letter appeared from Mr. Bunton, denying the truth of the statements made by the hon. member? Do we not also recollect that he subsequently moved for the appointment of a select committee to inquire into the charges made by himself against Mr. Little, and that the unanimous finding of that committee was that the charges made were utterly false. Then the hon. member, on another occasion, attacked the Engineer of Waterworks, and his

charges were again proved to be utterly false. Then he took up the McSharry and O'Rourke matter, which hinged on a certain recommendation which the hon. member for Port Curtis said had been made by Mr. Stanley.

The MINISTER FOR WORKS: I beg to call your attention to the state of the House, Mr. Speaker.

The SPEAKER: There not being a quorum present, the House must stand adjourned until Tuesday next.

The House adjourned at eighteen minutes to 11 o'clock.